



CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: MAY 5, 2004

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- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND MARY BREDLAU - BUNKER MORTUARY
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN (excused for the afternoon session) and COUNCILMEMBERS REESE, BROWN, WEEKLY, MACK, and MONCRIEF and Ward 2 seat vacant

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

City Hall Plaza, Special Outside Posting Bulletin Board

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(9:04 – 9:05)

1-1

REVEREND MARY BREDLAU, Bunker Mortuary, gave the invocation.

(9:05 – 9:06)

1-21

MAYOR GOODMAN led the audience in the Pledge.

(9:06 – 9:07)

1-53

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE CITIZEN OF THE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation recognizing M. Abby Abeyta as Citizen of the Month

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILWOMAN MONCRIEF recognized ABBY ABEYTA as May's Citizen of the Month for serving the community through his involvement with the VFW and the American Legion and his service on other organizations. He proudly served in the U.S. Navy for 20 years, completing tours in Korea and Vietnam, retired from the Nevada Test Site in 1986, and has been a Ward 1 resident for 50 years.

MR. ABEYTA expressed his sincere gratitude for being recognized.

(9:07 – 9:09)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

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DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD
DRIVE DAY

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation proclaiming 5/8/2004 as National Association of Letter Carriers Food Drive Day

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN announced that on 5/8/2004 the National Association of Letter Carriers would be conducting its annual food drive. This food drive is to support Help Stamp-Out Hunger. It is conducted in all 50 states and the U.S. territories, in partnership with the United States Postal Service, United Way agencies, and the AFL-CIO. A total of 18 different charities will receive the food collected, including the Salvation Army, Catholic Charities, Jewish Family Services, Lutheran Social Services, National Association of Latin Americans, and United Labor Agency of Nevada, as well as other food banks around the Valley.

MAYOR GOODMAN called forward JERRY PENN, president of the National Letter Carriers Association, and TOM PETERSON, former postmaster, as he proclaimed 5/8/2004 as National Association of Letter Carriers Food Drive Day. He showed a cartoon drawn by BILL KEEN depicting children carrying letters that stand for food, which is greatly needed for the approximate 13 million children that go to bed hungry every night. Last year, the letter carriers collected 60 million pounds of food in one day, making this the largest single day food drive in the world. The letter carriers are very proud to do this job. He encouraged everyone to put food in his/her mailboxes for the letter carriers. MR. PETERSON indicated that he feels deeply about this project. He pointed out that not everyone in this town works in the construction industry or

City of Las Vegas

CITY COUNCIL MEETING OF MAY 5, 2004

Ceremonial

Recognition of the National Association of Letter Carriers Food Drive Day

MINUTES – Continued:

at full employment; many people are under employed and need food on a regular basis. The estimated 670,000 pounds of food that is collected for the Valley seems like a lot, but it only amounts to about half a pound for every resident.

(9:09 – 9:13)

1-152

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

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DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF NATIONAL HISTORIC PRESERVATION WEEK

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: Proclamation proclaiming May 3-9, 2004 as National Historic Preservation Week

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN remarked that historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character. Historic preservation is relevant for communities across the nation, both urban and rural, and for all Americans. "New Frontiers in Preservation" is the theme for this year's National Historic Preservation Week, co-sponsored by the City of Las Vegas, the Las Vegas Historic Preservation Commission, and the National Trust for Historic Preservation. With the City celebrating its 100th birthday in 2005, Historic Preservation Week is an important event leading up to the City's Centennial celebrations. He noted that the 5/5/2004 agenda included an item concerning a report on the U.S. Courthouse and Post Office.

DAVID MILLMAN, Historic Preservation Commission member, expressed his appreciation to the entire Council for its support.

(9:13 – 9:15)

1-254

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

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DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF AMERICAN RED CROSS POOL SAFETY MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation proclaiming May 2004 as American Red Cross Pool Safety Month

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN recognized American Red Cross Pool Safety Month. He reported that in 2003 10 people drowned and 32 children of age 14 or younger nearly drowned in Clark County. Already this year, there have been several accidents in pools. As part of Pool Safety Month, the American Red Cross, the City of Las Vegas Department of Leisure Services, and Paragon Pools will present the first ever "Float Like A Duck Campaign" to educate the public on the importance of safety while celebrating the joys of water sports. The goal of the American Red Cross is to disseminate as much information as possible before Memorial Day weekend in order to prepare families to be safe for the summer months. The American Red Cross has been the leader in water safety education since 1917, and, with summer right around the corner, the City is dedicated to promoting pool safety in the community.

PENNEY TOWERS, from the Red Cross, and JOE VASSALLO, President of Paragon Pools, came forward. Before introducing the program, MS. TOWERS thanked the Council for its assistance with the Casa Palms fire on Good Friday. She recognized TIM McANDREW, Las Vegas Fire and Rescue, Citizens Area Transit, and the community centers that opened their hearts and doors to those that were displaced. She also thanked the Salvation Army for feeding the victims of the Casa Palms fire and all those who assisted. She invited all the families to the Municipal Pool on Sunday, May 24, 2004, from 12:00 p.m. to 4:00 p.m. for a free day of fun, swimming, diving, and floating.

City of Las Vegas

CITY COUNCIL MEETING OF MAY 5, 2004

Ceremonial

Recognition of American Red Cross Pool Safety Month

MINUTES – Continued:

MR. VASSALLO presented the Mayor with a rubber duck in a martini glass. He noted that swimming activities are fun, as long as people do not overlook the inherent dangers. The pool industry feels a responsibility to promote pool safety, as one drowning a year is one too many.

MAYOR GOODMAN presented MS. TOWERS with a proclamation.

(9:15 – 9:18)

1-315

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF NATIONAL TENNIS MONTH

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Submitted at meeting: Proclamation proclaiming May 2004 as National USA Tennis Month
2. Submitted after meeting: aerial of site, two construction site pictures, and a planting plan

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN BROWN announced that a lot of exciting things are happening in the realm of tennis. The tennis facility at Buffalo and Washington, of which he showed and submitted an aerial of the site, construction site pictures, and a planting plan, on the overhead, is currently under construction. This facility is going to be unparalleled nationwide. As SANDY FOLEY, current Executive Director of the Nevada Tennis Association (NTA), and JOHN VELIER, past president of the Nevada Tennis Association, came forward, COUNCILMAN BROWN recognized and thanked the following guests in the audience from the NTA for their support: ROB KINAS, MARY MARAGOS, ROB MERRIMAN, FRANKIE VerHALLEN, and GORDON HAMMOND.

MS. FOLEY thanked the Council for this recognition. She remarked that May is National Tennis Month. The United States Tennis Association started this program about three years ago to promote tennis and the benefits it provides to people of all ages. MS. FOLEY expressed that she is very happy to be partnering with the City to put on some great functions at the new tennis complex in May of 2005.

City of Las Vegas

CITY COUNCIL MEETING OF MAY 5, 2004

Ceremonial

Recognition of Tennis Month

MINUTES – Continued:

MR. VELIER acknowledged the work of MR. HAMMOND as the head professional tennis player at the Summerlin Tennis Club and an NTA Board of Directors member. He then thanked COUNCILMAN BROWN for his support in the long struggle to get a quality tennis facility in the City. This partnership will allow the provision of gratis tennis lessons to at-risk youth. He noted that over 200 youth were in town for a National Tennis Tournament, and they had to be dispersed at tennis courts all over town.

(9:18 – 9:22)

1-437

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF SALVATION ARMY WEEK

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation proclaiming May 10-16, 2004 as The Salvation Army Week

MOTION:

None required. A presentation was made.

MINUTES:

MAJOR WILLIAM RAIHL, CHARLES DESIDERIO, DENISE GEE, and DUANE SONNENBERG joined the Council for this presentation. MAYOR GOODMAN stated that May 10-16, 2004, is Salvation Army Week. The Salvation Army opened in Las Vegas in 1946 and has since been bringing help and hope to the needy of this great city. Recently, the Salvation Army started an adult daycare program and senior housing. Nationally, they assist more than 42 million individuals throughout the year. Last year, 500,000 meals were served in the various programs in Las Vegas. The Salvation Army is one of the City's great community partners.

MAJOR RAIHL accepted the proclamation, on behalf of the Salvation Army, and thanked the Council for its support of the Salvation Army's programs and its community partners for the collaborative work they do in the community. He noted that no single organization could do everything alone. Collaboration among the various agencies is key to accomplishing so much more for the community. The Salvation Army is proud to be a part of the past, present, and future of Las Vegas.

(9:22 – 9:24)

1-558

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

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DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF NATIONAL ALS AWARENESS MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: Proclamation proclaiming May 2004 as National ALS Awareness Month

MOTION:

None required. A presentation was made.

NOTE: COUNCILMAN BROWN disclosed that he has been affiliated with ALS locally and nationally, directly and indirectly for the past five years, mostly through baseball.

MINUTES:

COUNCILMAN BROWN called forward JOHN DAWSON, Local Chapter Chairman, and CONNIE BOBOA, Executive Director. He then noted that ALS (Amyotrophic Lateral Sclerosis), or Lou Gehrig's Disease, is a devastating and progressive disease that occurs when motive nerve cells in the Central Nervous System cease to function and die. Nearly 6,000 people in the United States are diagnosed with ALS each year, and there is no known cause or cure. There are approximately 200 ALS patients in Nevada. In advanced stages, this disease can cost upwards of \$200,000 a year. During each 90 minutes that a person dies of ALS, another person is diagnosed with this disease.

MR. DAWSON indicated that he and MS. BOBOA would be taking this proclamation to Washington D.C. within two weeks, when they would be meeting with elected representatives. He presented the Mayor with a bobble head doll of Lou Gehrig, which was produced for the more than 2,000 consecutive games that he played.

(9:24 – 9:28)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:

There was no discussion.

(9:28 – 9:30)
1-768

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

BUSINESS ITEMS

ABEYANCE ITEM - Discussion and possible action to appoint a City Council member for Ward 2

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Ward 2 Councilwoman Lynette Boggs McDonald has submitted her resignation effective April 20, 2004 to accept an appointment by Governor Guinn to serve on the Clark County Commission. In accordance with Las Vegas City Charter 1.160, it will be necessary to fill this vacancy by a majority vote of the entire City Council within 30 days after the occurrence of that vacancy.

The qualifications for *election* as a Las Vegas City Councilman are: Shall be a qualified elector who has actually as opposed to constructively, resided within the Ward which he or she desires to represent for a period of not less than 30 days immediately prior to the last day for filing a Declaration of Candidacy. The registered voters of the Ward in which he or she is a candidate shall elect each City Councilman. This Ward 2 seat is a four-year term position that will be considered by City of Las Vegas voters during the 2005 Municipal Election process.

This item was held in abeyance at the April 21, 2004 City Council Meeting.

RECOMMENDATION:

Appointment of a qualified individual to fill the seat of City Councilman, Ward 2

BACKUP DOCUMENTATION:

1. Councilwoman Boggs McDonald's letter of resignation
2. Submitted at Council meeting – PowerPoint Presentation regarding Special Election

MOTION:

GOODMAN – Motion to STRIKE with direction to City Clerk Ronemus to hold a special Council meeting on 5/11/2004 at 4:00 p.m. to discuss a resolution calling a special election and/or appointment of a Ward 2 Council member – UNANIMOUS with Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004

Business Items

Item 2 – Discussion and possible action to appoint a City Council member for Ward 2

MINUTES:

Using a PowerPoint presentation, CITY CLERK RONEMUS gave a report on the possible 2004 Municipal Special Election. In going over the facts, she noted that Wards 2, 4, and 6 and Municipal Court Departments 2, 3, and 5 are up for election in 2005. She thanked COUNCILMAN REESE and ASSEMBLYMAN TOM COLLINS and his wife KATHY for bringing NRS 268.235 to her attention. CITY CLERK RONEMUS pointed out that although special elections have been held, the Secretary of State was unable to find out if any one specifically was under the vacancy provision.

As the election official, CITY CLERK RONEMUS remarked that she is concerned with the details of complying with a special election, as there are specific challenges, which she elaborated. This election would be considered a special election, meaning there would be a single election, in which case any individual receiving the highest number of votes would be declared elected. In the unlikely event of a tie, the Council would choose the winner by lot.

Referring to a handout, CITY CLERK RONEMUS additionally indicated that 13 of the 23 polling locations are in schools that are closed in June and July, so there is a concern regarding the availability of those locations and the unknown costs that will be involved. As an alternative, she recommended choosing a limited number of election-day polling locations, centrally located. Even though some voters might feel inconvenienced, she strongly felt that the citizens would appreciate any efforts to cut costs, and not using the schools would significantly cut costs.

Another challenge is the continuation to use punch cards for absent and mail ballots. The Clark County Election Department is moving to the optical scanning process for the September/November Election. More information is needed, but she thought she might have the option of using the punch cards, with which she would feel more comfortable because the procedures are in place and it is the system that has been used in past Municipal Elections. She recommended using the punch card system.

In reviewing the proposed timeline for a special election, CITY CLERK RONEMUS noted that the proposal requires potential candidates to currently reside in Ward 2 in order to meet the residency requirements. The timeline does not include the campaign reporting dates, which will be required under the Secretary of State.

ASSISTANT CITY ATTORNEY JOHN REDLEIN warned the Council about the Open Meeting Law implications of this subject, given that the item on the agenda is for the appointment of a person to fill the vacant seat, not on the report to have a special election. He indicated that the Council could deliberate, debate, discuss, or decide the issue on the agenda but not the special election. However, he pointed out that the subject matter and the issue of a special election could be recessed to the special meeting for discussion.

CITY COUNCIL MEETING OF MAY 5, 2004

Business Items

Item 2 – Discussion and possible action to appoint a City Council member for Ward 2

MINUTES:

MAYOR GOODMAN apologized to the interested people for holding this matter further. He then motioned to strike this matter and gave direction to CITY CLERK RONEMUS to schedule a special City Council meeting on Tuesday, May 11, 2004, at 4:30 p.m. to discuss and take possible action on the appointment of a City Council member for Ward 2, as well as to discuss and take possible action on a special election of a City Council member for Ward 2. COUNCILMAN BROWN requested the meeting be scheduled for 4:00 p.m. instead of 4:30, as he intended to recess another item on this agenda dealing with the budget to that date. COUNCILMAN REESE and MAYOR GOODMAN concurred with COUNCILMAN BROWN'S petition. CITY ATTORNEY JERBIC clarified that the motion should be to strike this matter with direction to the City Clerk to take the additional action.

(9:30 – 9:46)

1-808

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Approval to authorize the president of City Parkway V to execute Modification No. 2 to the amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Lighting Design, Site Electrical, Developer Coordination and Marketing for the Union Park Development (61-acres site) (not to exceed \$208,377 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** NTE \$208,377☐**Budget Funds Available****Dept./Division:** City Manager's Office☒**Augmentation Required****Funding Source:** Industrial Development SRF**PURPOSE/BACKGROUND:**

The City Parkway V would like to modify the current Design Workshop agreement to add the development of Lighting Design, Site Electrical, Development Coordination and Marketing for the Union Park Development (61-acre site). These designs will guide developers in creating projects that reflect the goals and objectives for the mixed-use urban village.

This project is funded through loans from the City's Industrial Development Special Revenue Fund, which will be paid back from proceeds from the sale of parcels.

RECOMMENDATION:

Authorize the president of City Parkway V to execute Modification No. 2 in the not-to exceed amount of \$208,377 to cover Design Workshop's development of Lighting Design, Site Electrical, Development Coordination and Marketing, and authorize the loan of funds from Industrial Development SRF.

BACKUP DOCUMENTATION:

Pre-Approval of Design Workshop Modification Memorandum

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

NOTE: COUNCILMAN MACK disclosed that his brother, STEVEN MACK, owns property near Item 17. Although, he has abstained on previous actions related to the City's purchase of property, he did not believe awarding a contract related to the subsequent demolition of these structures carries any similar conflict. An approval action simply recognizes CST as the

CITY COUNCIL MEETING OF MAY 5, 2004

Consent – Administrative

Item 3 - Approval to authorize the president of City Parkway V to execute Modification No. 2 to the amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Lighting Design, Site Electrical, Developer Coordination and Marketing for the Union Park Development (61-acres site) (not to exceed \$208,377 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)

MOTION – Continued:

successful bidder. Moreover, Item 40 relates to the Stewart Avenue Parking Garage located across the street from the Lady Luck Hotel/Casino, with which his brother-in-law, ANDREW DONNER, has a contract related to its non-restricted gaming license. Neither of COUNCILMAN MACK’S relatives has spoken to him about the aforementioned items and he did not believe their businesses would be affected in any way; hence, he would be voting on Items 17 and 40.

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

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DISCUSSION

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments

Fiscal Impact

☐

No Impact

Amount: \$75,097,535.59

☒

Budget Funds Available

Dept./Division: Accounting Operations

☐

Augmentation Required

Funding Source: All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 04/1/04 - 04/15/04

Total Services and Materials Checks	\$ 9,479,128.06
Total Payroll Checks	\$ 10,976,348.32
Total Wire Transfers	\$ 54,642,059.21

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Harris Law Firm, Location: Harris Law Center Parking Lot, 801 South 4th Street, Date: May 5, 2004, Type: Special Event Beer/Wine, Event: Annual Open House and Cinco de Mayo Party, Responsible Person in Charge: Amber Holmes - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

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DISCUSSION

SUBJECT:

Approval of Special Event Licenses for City of Las Vegas Leisure Services - Cultural Division:
Location: Arts District, 1228 South Casino Center Boulevard, Date: May 7, 2004, Type: Special Event Beer/Wine, Event: First Friday May Fun Fest, Responsible Person in Charge: Enrique Tinoco; Location: Arts District, 100 Boulder Avenue, Date: May 7, 2004, Type: Special Event Beer/Wine, Event: First Friday May Fun Fest, Responsible Person in Charge: Matt Marino; Location: Lewis Street Corridor, 399 South 4th Street, Dates: May 13 and 27, 2004, Type: Special Event Beer/Wine, Event: Written in Stone - Lewis Avenue Poetry Under the Stars, Responsible Person in Charge: Troy Warren - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division:

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event Licenses

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Mexican Patriotic Committee, Location: Freedom Park, 850 North Mojave Road, Date: May 9, 2004, Type: Special Event Beer/Wine, Event: Family Picnic-Health Fair, Responsible Person in Charge: Eddie Escobedo - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Sarah Investments, Inc., dba Las Vegas Grocery III, Tallat Ahmad, Dir, Pres, Secy, Treas, 100%, To: Sun City Express, Inc., dba Sun City Express, 6050 Smoke Ranch Road, Renu Taneja, Dir, Pres, Secy, Treas, 100% - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 12 slots subject to confirmation of approval by the Nevada Gaming Commission, Golden Route Operations, LLC, db at Golden Steer Steak House, 308 West Sahara Avenue - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 12 slots

RECOMMENDATION:

Recommend approval subject to confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Location for an Astrology and Psychic Arts and Science License subject to the provisions of the planning and fire codes, Annie Phillips, dba Annie Phillips, From: 2101 South Decatur Boulevard, Suite 16, To: 2801 South Valley View Boulevard, Suite 1, Annie Phillips, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for an Astrology and Psychic Arts and Science License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Burglar Alarm Service License, Crime Busters of Nevada, Inc., dba All Secure Alarm Protection, 4625 Wynn Road, Suite 101, David S. Gross, Dir, Pres, 50%, John C. Perdichizzi, Dir, Secy, Treas, 50% - Clark County

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Burglar Alarm Service License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Name for a Martial Arts Instruction Business License, Reylson Gracie, Inc., dba From: Reylson Gracie Jiu-Jitsu, To: Reylson Gracie Jiu-Jitsu Health & Wellness Center, Reylson Gracie, 100% - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Name for a Martial Arts Instruction Business License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid No. 04.1730.18-LED, Gowan North Channel, Phase 3, Durango Drive to Lone Mountain Road and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TAB CONTRACTORS, INC. (\$6,748,806.77 - Road and Flood Capital Projects Fund) - Ward 4 (Brown)

Fiscal Impact☐**No Impact****Amount:** \$6,748,806.77☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Road and Flood CPF**PURPOSE/BACKGROUND:**

On March 17, 2004, City Council preapproved the award of Bid No. 04.1730.18-LED, Gowan North Channel, Phase 3, Durango Drive to Lone Mountain Road to the lowest responsive and responsible or best bidder for an amount of \$6,000,000. However, all bids received were over this amount with the lowest responsive and responsible bidder bidding \$6,748,806.77. Therefore, this item is being presented for approval at the higher award amount. Budget funds are available to complete this project.

PCC: L. E. Davis

POC: Brady Stevens - (702) 642-3033

RECOMMENDATION:

That City Council approve the award of Bid No. 04.1730.18-LED, Gowan North Channel, Phase 3, Durango Drive to Lone Mountain Road to Tab Contractors, Inc. in the amount of \$6,748,806.77 and approve a construction conflicts and contingency reserve of \$674,881. Authority to execute the Contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of issuance of a purchase order for an Andros F-6A robot (including spare parts and extended warranty) plus spare parts and extended warranty for an existing Andros Mark V-A1 robot - Department of Fire and Rescue - Award recommended to: REMOTEC (\$194,162 - Multipurpose Special Revenue Fund)

Fiscal Impact☐**No Impact****Amount:** \$194,162☒**Budget Funds Available****Dept./Division:** Fire and Rescue☐**Augmentation Required****Funding Source:** Multipurpose Special Revenue Fund**PURPOSE/BACKGROUND:**

This request provides for the purchase of an Andros F-6A robot (including spare parts and extended warranty) plus spare parts and extended warranty for the existing Andros Mark V-A1 robot used for explosive device mitigation. This purchase will be reimbursed through a Homeland Security Grant.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(a), items which may only be contracted from a sole source.

PCC: K. Falline

POC: Jim Daniels - (865) 483-0228

CFN: 040303-LW

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for a Andros F-6A robot (including spare parts and extended warranty) plus spare parts and extended warranty for an existing Andros Mark V-A1 robot to Remotec in the amount of \$194,162.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 040231-DAR, Annual Requirements Contract for Playground Equipment - Department of Field Operations - Award recommended to: MIRACLE PLAYGROUND SALES SOUTHWEST (Estimated annual amount \$150,000 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$150,000

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This is an annual requirements contract to add, replace and upgrade playground equipment at various parks throughout the City with installation by the Parks and Open Spaces Division.

PCC: D. Rawski

POC: Henry Sudweeks - (800) 905-1411

RECOMMENDATION:

That the City Council approve the award of Bid No. 040231-DAR, Annual Requirements Contract for Playground Equipment to Miracle Playground Sales Southwest from date of award through April 30, 2005, with four (4) one-year renewal options in the estimated annual amount of \$150,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Contract No. 040267-LED, Primavera Expedition Software Development - Department of Public Works - Award recommended to: PBS CONSULTING (\$50,000 - General Fund)

Fiscal Impact☐**No Impact****Amount: \$50,000**☒**Budget Funds Available****Dept./Division: Public Works**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

This contract will provide for a fully qualified Software Application Specialist to be available to City staff Monday through Friday, eight hours a day for the development and management of the City's Primavera Expedition and Primavera Project Planner Software Application. This software is used by the Public Works Department for tracking and reporting progress on construction projects from design to completion of the project.

This request is exempt from competitive bidding procedures pursuant to NRS 332.115.1(b), professional services.

PCC: L. E. Davis

POC: Ben Schultz - (702) 493-1339

RECOMMENDATION:

That the City Council approve the award of Contract No. 040267-LED to PBS Consulting in the amount of \$50,000 from date of award through May 31, 2005, with the option to extend for an additional one-year period. Authority to execute contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid No. 040238-LED, Asbestos Abatement of Four (4) Condominium Buildings located at 1501 through 1513 Laurelhurst Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CST ENVIRONMENTAL, INC. (\$40,741 - Housing Program Special Revenue Fund) - Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount:** \$40,741☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Housing Program Special Revenue Fund**PURPOSE/BACKGROUND:**

This project consists of the abatement of four (4) condominium buildings located at 1501 through 1513 Laurelhurst Drive in preparation for demolition of the same buildings.

PCC: L. E. Davis

POC: Kevin Curley - (702) 263-5323

RECOMMENDATION:

That the City Council approve the award of Bid No. 040238-LED, to CST Environmental, Inc. in the amount of \$40,741 and approve a construction conflicts and contingency reserve of \$4,074. Authority to execute the Contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

NOTE: COUNCILMAN MACK disclosed that his brother, STEVEN MACK, owns property near Item 17. Although, he has abstained on previous actions related to the City's purchase of property, he did not believe awarding a contract related to the subsequent demolition of these structures carries any similar conflict. An approval action simply recognizes CST as the successful bidder. Moreover, Item 40 relates to the Stewart Avenue Parking Garage located across the street from the Lady Luck Hotel/Casino, with which his brother-in-law, ANDREW DONNER, has a contract related to its non-restricted gaming license. Neither of COUNCILMAN MACK'S relatives has spoken to him about the aforementioned items and he did not believe their businesses would be affected in any way; hence, he would be voting on Items 17 and 40.

CITY COUNCIL MEETING OF MAY 5, 2004

Consent – Finance and Business Services

Item 17 – Approval of award of Bid No. 040238-LED, Asbestos Abatement of Four (4) Condominium Buildings located at 1501 through 1513 Laurelhurst Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CST ENVIRONMENTAL, INC. (\$40,741 - Housing Program Special Revenue Fund) - Ward 1 (Moncrief)

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid No. 03.15341.15-LED, Rescue Relief Vents, Fire Stations No. 2, 900 South Durango Blvd.; Fire Station No. 7, 10101 West Banbury Cross Drive; and Fire Station No. 9, 4747 North Rainbow Blvd. and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TRADE WEST CONSTRUCTION, INC. (\$34,700 - Fire Services Capital Projects Fund) - Wards 2 and 6 (Vacant and Mack)

Fiscal Impact☐**No Impact****Amount:** \$34,700☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Fire Services Capital Projects Fund**PURPOSE/BACKGROUND:**

This project consists of the addition of pressure relief exhaust vents on the roofs of rescue bays at three City of Las Vegas Fire Stations - Fire Station No. 2 located at 900 South Durango Blvd.; Fire Station No. 7 located at 10101 West Banbury Cross Drive; and Fire Station No. 9 located at 4747 North Rainbow Blvd. Work includes all demolition, carpentry, mechanical, electrical, roofing and related work for the furnishing and installation of roof top ventilation equipment for air pressure relief of the rescue bays.

PCC: L. E. Davis

POC: H. Janneck - (702) 346-2757

RECOMMENDATION:

That the City Council approve the award of Bid No. 03.15341.15-LED to Trade West Construction, Inc. in the amount of \$34,700 and approve a construction conflicts and contingency reserve of \$3,470. Authority to execute the Contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004

Consent – Finance and Business Services

Item 18 – Approval of award of Bid No. 03.15341.15-LED, Rescue Relief Vents, Fire Stations No. 2, 900 South Durango Blvd.; Fire Station No. 7, 10101 West Banbury Cross Drive; and Fire Station No. 9, 4747 North Rainbow Blvd. and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TRADE WEST CONSTRUCTION, INC. (\$34,700 - Fire Services Capital Projects Fund) - Wards 2 and 6 (Vacant and Mack

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FIRE & RESCUE**DIRECTOR: DAVID L. WASHINGTON**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Interlocal Agreement between the City of Las Vegas and the Southern Nevada Area Communication Council for the transfer of interoperable radio equipment for public safety communications - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This Interlocal Agreement between the City of Las Vegas and the Southern Nevada Area Communication Council (SNACC) will facilitate the permanent transfer of radio equipment to enhance communications interoperability in the region. This equipment was acquired through the FY2003 U.S. Department of Justice Community Oriented Policing Services (COPS) Equipment Grant Program. This agreement also authorizes the City to invoice SNACC in the amount of \$10,753.70 to cover a 25% cash-match required by the federal grant program.

RECOMMENDATION:

Las Vegas Fire & Rescue recommends approval.

BACKUP DOCUMENTATION:

Interlocal Agreement

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Contribution Agreement Homeless Management Information System Statistical Analytical Services contract to reimburse Nevada Partnership for Homeless Youth up to \$37,061 for expenses related to the implementation of a Homeless Management Information System (HMIS) - All Wards

Fiscal Impact☐**No Impact****Amount:** Not to exceed \$37,061☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Admin☐**Augmentation Required****Funding Source:** General Fund-Weather Shelter**PURPOSE/BACKGROUND:**

The Homeless Management Information System (HMIS) is a community-wide electronic database mandated by HUD that allows service providers to collect unduplicated information on homeless clients. The Council approved up to \$37,061 for the HMIS on March 3, 2004 as part of a regional funding strategy. Nevada Partnership for Homeless Youth (NPHY) will be the lead agency for the HMIS, with contracting responsibility for program management and procurement. The current contract reimburses NPHY for program management costs associated with the setup and operations of the HMIS.

RECOMMENDATION:

Staff recommends the City Council approve the contract with Nevada Partnership for Homeless Youth to reimburse up to \$37,061 for implementation of a Homeless Management Information System and authorize the Mayor to execute the agreement.

BACKUP DOCUMENTATION:

Contribution Agreement Homeless Management Information System Statistical Analytical Services Contract

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of \$170,219.35 Federal HOME funds to Economic Opportunity Board for reimbursement for their Homebuyer Assistance Program - All Wards

Fiscal Impact

☐

No Impact

Amount: \$170,219.35

☒

Budget Funds Available

Dept./Division: Neigh. Svcs./Neigh. Devel.

☐

Augmentation Required

Funding Source: HOME

PURPOSE/BACKGROUND:

Economic Opportunity Board of Clark County has requested additional HOME funding in order to be reimbursed for downpayment assistance for all outstanding income qualified homebuyers that have closed escrow or signed purchase agreements. EOB has suspended its Homebuyer Assistance Program as of February 26, 2004. All payments are reimbursement and are only paid when proper documentation is submitted to support the request.

RECOMMENDATION:

Staff recommends that the City Council approve the funding and authorizes the Mayor to execute the Agreement with the subrecipient after it has been approved by the City Attorney.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to file an amendment to Right-of-Way Grant N-76116 with the Bureau of Land Management for roadway, sanitary sewer and drainage purposes on portions of land lying within the Southwest Quarter of Section 17, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the north side of the Elkhorn Road alignment east of the Fort Apache Road alignment and along the Fort Apache Road alignment north of the Elkhorn Road alignment, APNs 125-17-401-007 and -008 – Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to file an amendment to Right-of-Way Grant N-41255 with the Bureau of Land Management for roadway, sanitary sewer and drainage purposes on portions of land lying within the Southeast Quarter of Section 27, Township 20 South, Range 60 East, Mount Diablo Meridian, generally located east of Tenaya Way and north of Westcliff Drive, APNs 138-27-801-004 and -802-006 - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to appraise and purchase or condemn right-of-way parcels for the Lone Mountain Trail along Alexander Road between Buffalo Drive and Tenaya Way (\$25,000 - Bureau of Land Management, Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

Fiscal Impact

☐

No Impact

☒

Budget Funds Available

☐

Augmentation Required

Amount: \$25,000

Dept./Division: Public Works/City Engineer

Funding Source: Bureau of Land Management/Southern Nevada Lands Mgmt Act

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Contract #469 between the City of Las Vegas and the Southern Nevada Regional Transportation Commission for construction and construction management of the Elkhorn Road Overpass at US-95 (\$11,740,000 - Southern Nevada Regional Transportation Commission) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$11,740,000☒**Budget Funds Available****Dept./Division:** PublicWorks/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

Interlocal Contract #469 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada applies to the construction and construction management of the Elkhorn Road Overpass at US-95. The Southern Nevada Regional Transportation Commission approved this contract at their April 8, 2004 meeting. Total cost of this project shall not exceed \$11,740,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract #469

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Encroachment Request from Integrity Engineering on behalf of Earl M. Morimoto, owner (southeast corner of Las Vegas Boulevard and Carson Avenue) - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed encroachment shall consist of a landscaped loading dock. The landscaping shall consist of the loading dock, ground cover, shrubs, and an irrigation system for a proposed United States Postal Service office. The encroachment will be located in the alley east of Las Vegas Boulevard, west of Sixth Street, south of Carson Avenue, and north of Bridger Avenue. The City will eventually vacate the alley. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (southeast corner of Las Vegas Boulevard and Carson Avenue)

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Southeast Engineering on behalf of Southwest Homes, LLC, owner (northwest corner of Campbell Road and Elkhorn Road) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of landscaping on the west side of Campbell Road, north side of Elkhorn Road, and the south side of Solar Lane to meet Town Center Landscaping Requirements for the proposed Centennial Park II subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (northwest corner of Campbell Road and Elkhorn Road)

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Engineering Design Services Agreement with Carollo Engineers for engineering and construction services to expand current capacity, increase reliability, and enhance security at the Lone Mountain Sewer Lift Station (\$299,937 - Sanitation Fund) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$299,937

☒

Budget Funds Available

Dept./Division: Public Works/Environmental

☐

Augmentation Required

Funding Source: Sanitation Fund

PURPOSE/BACKGROUND:

The City desires to approve an Engineering Design Services Agreement with Carollo Engineers for engineering and construction services to expand current capacity, increase reliability and enhance security at the Lone Mountain Lift Station including increasing pumping and wet well capacity, adding debris catchment and a force main, upgrading standby power, providing security elements recommend by the Vulnerability Assessment, and providing Supervisor Control and Data Acquisition system (SCADA) control.

RECOMMENDATION:

The Director of Public Works recommends that the City Council approve this Engineering Design Services Agreement.

BACKUP DOCUMENTATION:

Engineering Design Services Agreement

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-77-2004 - Approval of a Resolution directing the City Treasurer to prepare the Sixtieth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Serrano Unit 1.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-77-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-78-2004 - Approval of a Resolution approving the Sixtieth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Serrano Unit 1.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-78-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-79-2004 - Approval of a Resolution directing the City Treasurer to prepare the Eleventh Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Serrano Unit 1.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-79-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-80-2004 - Approval of a Resolution approving the Eleventh Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Serrano Unit 1.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-80-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-81-2004 - Approval of a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment District 505 and in certain other districts; and providing other matters properly relating thereto - District 505 in Ward 6 (Mack) and the other districts in various wards

Fiscal Impact

☒

No Impact

Amount: N/A

☐

Budget Funds Available

Dept./Division: Finance/Treasury

☐

Augmentation Required

Funding Source: N/A

PURPOSE/BACKGROUND:

NRS 271.545 states that when an assessment or installment becomes delinquent, the City shall direct the City Treasurer to give notice of the sale of the property or properties subject to the lien of a delinquent installment or the entire assessment if the governing body has exercised its option to cause the whole amount of the unpaid principal to become due and payable.

RECOMMENDATION:

It is recommended that the City Council adopt this resolution.

BACKUP DOCUMENTATION:

Resolution No. R-81-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-82-2004 - Approval of a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in Special Improvement Districts 404, 707, 808 and 809 and providing other matters properly relating thereto - Wards 2 and 4 (Vacant and Brown)

Fiscal Impact

☒

No Impact

Amount: N/A

☐

Budget Funds Available

Dept./Division: Finance / Treasury

☐

Augmentation Required

Funding Source: N/A

PURPOSE/BACKGROUND:

NRS 271.545 states that when an assessment or installment becomes delinquent, the City shall direct the City Treasurer to give notice of the sale of the property or properties subject to the lien of a delinquent installment.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No.R-82-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-83-2004 - Approval of a resolution authorizing the City Director of Finance and Business Services to arrange for the sale of Local Improvement Bonds in conjunction with the Bond Ordinances for the City of Las Vegas, Nevada Special Improvement Districts 1474, 1481, and 1486 - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Finance & Business Services

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City has created the improvement districts in compliance with NRS 271. NRS Chapter 350 authorizes the issuance of bonds for the SID districts to repay short term financing (Interim Warrants). This resolution authorizes the City Director of Finance and Business Services to arrange for the sale of the Local Improvement Bonds for the City of Las Vegas, Nevada Special Improvement Districts 1474, 1481, and 1486.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-83-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-84-2004 - A resolution reducing the interest rate on the assessments in the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Finance & Business Services

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Senior Local Improvement Refunding Bonds, Series 2004 will be issued to finance the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Senior Subordinate Local Improvement Refunding Bonds, 2000 Series B (Refunding Bonds). Pursuant to NRS 271.488 the Council is required, upon the issuance of the Refunding Bonds, to reduce the rate of interest on the assessments which secure the Refunding Bonds provided that such interest rate may not exceed by more than one percent the highest rate of interest on the Bonds.

RECOMMENDATION:

It is recommended that the Council adopt this resolution.

BACKUP DOCUMENTATION:

Resolution No. R-84-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY MANAGER'S OFFICE

DIRECTOR: ELIZABETH FRETWELL

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-85-2004 - Approval of a Resolution creating the Centennial Celebration 2005 Five Fifteen Club to honor citizens who share the birthday of Las Vegas

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This resolution creates the centennial celebration 515 club to honor citizens who share the same birthday of Las Vegas and sanction the 515 club members to serve for one year as official centennial birthday ambassadors promoting the mission and spirit of this most important celebration

Members will receive an official birthday present from the Centennial Committee, will cut the worlds largest birthday cake on may 15, 2005, march in the Helldorado Parade as the 515 club and will have their name placed in our time capsule at the end of 2005. All 515 club members will become official birthday ambassadors during 2005 to promote the Las Vegas Centennial Celebration.

Any Las Vegas resident can become a member of the 515 club by contacting the Las Vegas Centennial office. They must have a valid Nevada identification card or birth certificate stating their birthday is may 15. The centennial office will begin enrollment on May 10, 2004 and conclude on November 30, 2005

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Resolution No. R-85-2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Second Amendment to the Municipal Court Traffic School Lease located at 2917 West Washington Avenue renewing the Lease until June 30, 2005, with a six-month renewal option (\$11,220 a month - Municipal Court/Rental of Land) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$11,220/month☒**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** Muni Court/Rental of Land**PURPOSE/BACKGROUND:**

The term of the existing Lease will expire on 6/30/04. This Second Amendment will extend the term until 6/30/05. Rent=\$9,637/month, Common Area Operating=\$1,583 to total \$11,220/month. If CLV is not in default of the Lease, CLV may request to renew the Lease for an additional 6-month term by providing Landlord with a 120-day notice. The minimum monthly rental for the renewal period shall increase by three percent (3%).

RECOMMENDATION:

The 5/3/2004 Real Estate Committee and staff recommend approval and recommend authorization for staff to execute any further documents with the property management company to facilitate the intent of the Lease

BACKUP DOCUMENTATION:

Second Amendment to Lease Agreement

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval authorizing staff to enter into negotiations with the Boys & Girls Clubs of Las Vegas for a Lease Agreement on vacant land located on a portion of APN 139-25-303-014 at the northwest corner of Harris Avenue and Mojave Road - Ward 3 (Reese)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Staff received an unsolicited letter of proposal from the Boys & Girls Clubs of Las Vegas on March 22, 2004, expressing their desire to acquire land located near Harris Avenue and Mojave Road. The Boys & Girls Clubs feel this location would be an ideal site for a new club, gym and affordable child care facility to serve the needs of the community.

RECOMMENDATION:

The 5/3/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Letter from the Boys & Girls Clubs of Las Vegas dated 3/22/04
2. Site Map

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Lease Agreement with Barrick GSG L.L.C. dba GOLDSPIKE for the lease of 25 parking spaces located on the third floor of the Stewart Avenue Parking Garage located on the southwest corner of Stewart Avenue and Las Vegas Boulevard (\$1,250 monthly revenue - Park Enterprise Fund) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$1,250 monthly revenue☐**Budget Funds Available****Dept./Division:** PW/Real Estate & Assets☐**Augmentation Required****Funding Source:** Park Enterprise Fund**PURPOSE/BACKGROUND:**

The City of Las Vegas owns the Stewart Avenue Parking Garage and was approached by Barrick with their desire to lease 25 parking spaces on the third floor of the garage for use by their employees. Each parking space will be leased at a monthly rate of \$50 - \$1,250 monthly incoming revenue. The lease term is month-to-month and Barrick will be responsible for providing their own liability insurance.

RECOMMENDATION:

The 5/3/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Parking Lease Agreement

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

NOTE: COUNCILMAN MACK disclosed that his brother, STEVEN MACK, owns property near Item 17. Although, he has abstained on previous actions related to the City's purchase of property, he did not believe awarding a contract related to the subsequent demolition of these structures carries any similar conflict. An approval action simply recognizes CST as the successful bidder. Moreover, Item 40 relates to the Stewart Avenue Parking Garage located across the street from the Lady Luck Hotel/Casino, with which his brother-in-law, ANDREW DONNER, has a contract related to its non-restricted gaming license. Neither of COUNCILMAN MACK'S relatives has spoken to him about the aforementioned items and he did not believe their businesses would be affected in any way; hence, he would be voting on Items 17 and 40.

CITY COUNCIL MEETING OF MAY 5, 2004

Consent – Public Works

Item 40 – Approval of a Lease Agreement with Barrick GSG L.L.C. dba GOLDSPIKE for the lease of 25 parking spaces located on the third floor of the Stewart Avenue Parking Garage located on the southwest corner of Stewart Avenue and Las Vegas Boulevard (\$1,250 monthly revenue - Park Enterprise Fund) - Ward 5 (Weekly)

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Lease Agreement to lease 5 parking spaces on the surface parking lot located at the southeast corner of Clark Avenue and Las Vegas Boulevard South to the Boulevard Hotel (\$350 monthly revenue - Park Enterprise Fund) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$350 monthly revenue

☐

Budget Funds Available

Dept./Division: PW/Real Estate & Assets

☐

Augmentation Required

Funding Source: Park Enterprise Fund

PURPOSE/BACKGROUND:

Staff received an unsolicited letter of proposal from the Boulevard Hotel on 4/12/04, expressing their desire to lease 5 parking spaces in the lot located at 501 Las Vegas Boulevard South for use by their employees/residents. Each parking space will be leased at a monthly rate of \$70 - \$350 monthly incoming revenue. The lease term is month-to-month and the Boulevard Hotel will be responsible for providing their own liability insurance.

RECOMMENDATION:

The 5/3/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Parking Lot Lease Agreement

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Lease Agreement lease 2 parking spaces on the surface parking lot located at the southeast corner of Clark Avenue and Las Vegas Boulevard South to Fredrickson, Mazeika & Grant, LLP (\$150 monthly revenue - Park Enterprise Fund) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$150 monthly revenue

☐

Budget Funds Available

Dept./Division: PW/Real Estate & Assets

☐

Augmentation Required

Funding Source: Park Enterprise Fund

PURPOSE/BACKGROUND:

Staff received an unsolicited letter of proposal from Fredrickson, Mazeika & Grant, LLP on 4/13/04, expressing their desire to lease 2 parking spaces in the lot located at 501 Las Vegas Boulevard South for use by their employees. Each parking space will be leased at a monthly rate of \$75 - \$150 monthly incoming revenue. The lease term is month-to-month and Fredrickson, Mazeika & Grant, LLP will be responsible for providing their own liability insurance.

RECOMMENDATION:

The 5/3/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Parking Lot Lease Agreement

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – **UNANIMOUS** with **MACK** abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of utilizing a maximum of \$95,000 of Redevelopment Set Aside Funds to purchase the residential property located at 807 Lawry Avenue from Wells Fargo Bank prior to a foreclosure sale - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$95,000☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** Redevelopment Set Aside Funds**PURPOSE/BACKGROUND:**

Neighborhood Services Department has received notice from Wells Fargo Bank that the owner of 807 Lawry Avenue is in default. The Department has invested \$49,521.42 of HUD HOME Program Funds in the property to make it affordable to the homeowner. If the homeowner does not cure the default by June 17, 2004, the Department will purchase the property from Wells Fargo Bank for a sum not to exceed \$95,000 and resell it subsequently. By so doing, the property can be kept as "Affordable" and the City of Las Vegas will not have to reimburse HUD for the \$49,521.42.

RECOMMENDATION:

The 5/3/2004 Real Estate Committee and staff recommend the purchase and subsequent resale of the residential property.

BACKUP DOCUMENTATION:

Notice of Default letter from Wells Fargo dated March 22, 2004

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Weekly and Councilwoman Moncrief

Approval of using 18% Set Aside Funds to repay \$500,000 of Community Development Block Grant funding used to purchase property located at Madison Avenue and M Street to facilitate the construction of ten single-family homes - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$500,000☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** 18% Set Aside Funds**PURPOSE/BACKGROUND:**

On February 19, 2003, City Council approved reprogramming of \$500,000 in CDBG Funds from completed and canceled projects to Westside New Pioneers for the acquisition and soft costs of land located at the Northeast corner of Madison Avenue and M Street. The City has since assumed ownership of the property and Neighborhood Services is now requesting approval to exchange the \$500,000 in CDBG Funds with \$500,000 in 18% Set Aside Funds to facilitate the construction of ten single-family homes.

RECOMMENDATION:

The 5/3/2004 Real Estate Committee and staff recommend that the City Council approve the exchange of \$500,000 in CDBG Funds with \$500,000 in 18% Set Aside Funds to facilitate the construction of ten single-family homes.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3 through 44 as recommended – UNANIMOUS with MACK abstaining on Item 39 because, even though his term has lapsed, his membership on the Boys and Girls Club Board of Directors remains to be resolved and Ward 2 seat vacant

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:46 – 9:48)

1-1390

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY MANAGER

DIRECTOR: DOUGLAS A. SELBY

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ADMINISTRATIVE:

ABEYANCE ITEM - Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Recent events have called attention to the need to establish a policy to address the employment of state legislators and other elected and appointed government officials by the City of Las Vegas. Staff will present policy options for consideration by the City Council.

RECOMMENDATION:

Receive a presentation and direct staff to prepare an appropriate policy

BACKUP DOCUMENTATION:

None

MOTION:

GOODMAN – ABEYANCE to 5/19/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

DOUG SELBY, City Manager

GARY REESE, Councilman

LARRY BROWN, Councilman

MICHAEL MACK, Councilman

BRAD JERBIC, City Attorney

NOTE: MAYOR GOODMAN directed CITY MANAGER SELBY to come up with a policy precluding City employees to serve as legislators.

(9:48 – 9:54)

1-1452

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Report and possible action on the disposition of the Downtown Post Office located at Stewart Avenue and 4th Street - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The existing Post Office building has been acquired by the City of Las Vegas from the General Services Administration with historical restoration conditions. A study has been conducted under the direction of Samuel Tolman AIA NCARB to help determine the best use of the existing Post Office building. The report includes proposed cultural programming resulting from interviews with city staff and individuals in the community, and historical research and restoration options. Recommendations as to future programming of the Post Office will be made.

RECOMMENDATION:

Accept report and direct staff accordingly.

BACKUP DOCUMENTATION:

Submitted at meeting: consultant report on the Downtown US Post Office

MOTION:

WEEKLY – APPROVED the report and directed staff to begin working with the Historic Preservation Commission to move forward with this plan – UNANIMOUS with Ward 2 seat vacant

NOTE: COUNCILMAN MACK disclosed that his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, which is adjacent to the Post Office. He has a non-restricted gaming license. COUNCILMAN MACK did not believe action on this matter would have any impact on his relative's business; therefore, he would be voting.

MINUTES:

DEPUTY CITY MANAGER FRETWELL called forward ROBERT CHATTEL, CAROL GOLDSTEIN, and SAM TOLMAN, lead architect on this project. She reported that MR. CHATTEL and MS. GOLDSTEIN have conducted over 150 interviews of key community partners interested in the ultimate outcome of the Post Office and noted that the goal of this

CITY COUNCIL MEETING OF MAY 5, 2004

Administrative

Item 46 – Report and possible action on the disposition of the Downtown Post Office located at Stewart Avenue and 4th Street – Ward 5 (Weekly)

MINUTES – Continued:

effort is to identify and work towards a plan that will 1) actively provide an opportunity for all local residents to take advantage of this unique, cultural and historic building, and 2) be an attraction to tourists. Accomplishing the aforementioned goals under one roof is not easy. The program has to be unique and fluid. One of the most important pieces of this puzzle is to try to build on the unique history of the Post Office.

Consequently, the consultant was charged with putting together the key components to be able to accomplish these goals, while keeping in mind the strict guidelines of the Department of the Interior and Park Service and the Historic Preservation Commission that must be met in order to preserve the Post Office building. One of the components includes creating an educational environment to engage the schools, ranging from grades K-12 to Law School, and families. Sufficient civic spaces are needed in order to accommodate small and mid-size events, such as rotating exhibits and receptions. In an effort to tie the old with the present and future, the intent is to have a permanent exhibit of the 40s, 50s, and 60s on the second floor showing clips of judicial proceedings that took place in the building that set the tone for the future of Las Vegas, as well as other historical presentations. The third floor will house a display on current surveillance practices at the casinos and include reception space, with ties to the roof, such as an interior neon display leading to an outdoor neon gallery on the roof. This would be visible from a distance and attract people to the museum. DEPUTY CITY MANAGER FRETWELL recommended the lower level include a catering kitchen with a café that would open into an amphitheater. This is a neat way to create another gateway into the building that people can experience. With the surrounding City Park, the Frank Wright Plaza, and the Downtown Transportation Center, which is to be vacated in the future, there is a lot of opportunity to transition from the inside to the outside and vice versa. The consultants have emphasized that it is very important to connect the Third Street and Lewis Corridors, the Arts District, the Cultural Corridor, and the Fremont Street Experience to the Post Office.

Referring to the consultant's report, DEPUTY CITY MANAGER FRETWELL went over the key steps to be taken: 1) identify the initial preliminary estimates on the capital costs; 2) begin the selection process to identify an architectural firm who has experience in historic preservation and putting together a museum and cultural center of the desired caliber; 3) put together a business plan; 4) include the Historic Preservation Commission and the Park Service; and 5) take advantage of the potential partners identified in the report.

DEPUTY CITY MANAGER FRETWELL thanked MR. CHATTEL and MS. GOLDSTEIN for their detailed work in the report, which sets a very strong foundation for moving forward. Also, MR. TOLMAN and NANCY DEANER of Leisure Services have done a yeoman's job in pulling this together and leading the charge for the City. She recommended Council accept the report and direct staff to begin working with the Historic Preservation Commission to move forward with this plan.

CITY COUNCIL MEETING OF MAY 5, 2004

Administrative

Item 46 – Report and possible action on the disposition of the Downtown Post Office located at Stewart Avenue and 4th Street – Ward 5 (Weekly)

MINUTES – Continued:

COUNCILMAN WEEKLY asked if immediate discussions would be sought with representatives of the Lady Luck regarding some of the recommended visual ideas. DEPUTY CITY MANAGER FRETWELL responded that discussions would commence with the Lady Luck and the Fremont Street Experience, if the Council approves this report. She also noted that the Council has allocated \$1 million to this project to date, which will help through the architectural and construction design phase of this project, as well as help lay out the business plan to facilitate some of the partnerships. Next year will be the big capital improvement year, and some preliminary estimates, which are not currently available, will have to be provided. Operational impact, if any, will also have to be assessed next year. Staff hopes the museum will be up and operation by fiscal year 2007. She answered for COUNCILMAN WEEKLY that staff is in the process of pursuing a Save America's Treasures Grant in the amount of up to \$1 million, and it is keeping a watchful eye on any other source to assist with making this project a reality.

COUNCILMAN WEEKLY pronounced that people are excited about this project. A board member, BOB STODAHL, of the Centennial Celebration Committee is planning a function at the Post Office to honor SENATOR HARRY REID. He thanked DEPUTY CITY MANAGER FRETWELL for all the energy she put into this project.

MAYOR GOODMAN mentioned that he is not a consultant fan, but he was very impressed with the product this consultant created. It is going to be the cornerstone of what is going to make this project successful. It is going to be a first class project, along with all the other projects in the downtown area.

(9:54 – 10:12)

1-1715

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Report on the status of the 61-acre design and development - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On January 8, 2003 the Council authorized a program for the City to undertake development efforts on the City's 61 acres through its City Parkway corporations. On July 16, 2003 staff presented a draft concept plan for the site. On September 17 the Council approved a Framework Plan and Infrastructure Construction Phasing. Staff will present a report on what has happened since then and what is scheduled for the coming months.

RECOMMENDATION:

Report only; no action required

BACKUP DOCUMENTATION:

Submitted after meeting: copy of PowerPoint

MOTION:

None required. A report was given.

MINUTES:

CITY MANAGER SELBY mentioned that DICK OGLESBY, who recently passed away, was very instrumental in guiding the City with its efforts in the design and development of the 61 acres. He then gave a report using a PowerPoint presentation, which is made a part of the final minutes. He noted that the name Union Park has come up at various discussions for the 61 acres. This name has a resonance with most people that have heard this name, as it represents a unification of the old and new downtown areas, and it carries a historic connotation that this was the old Union Pacific Railroad site. Staff would also like the name Union Park District to be considered, given that the Centennial Plan for downtown has various districts identified for the City. With the master plan currently in place and the design guidelines being finalized, construction should commence this fall. A special meeting was scheduled for the following week with all the stakeholders around the Union Pacific property to discuss all the master plans to come up with a coordinated effort on this project as well as those adjoining this site. He pointed out that a few years ago the City would have appreciated anyone showing an interest, but it is now in a position where it can be selective.

CITY COUNCIL MEETING OF MAY 5, 2004

Administrative

Item 47 – Report on the status of the 61-acre design and development – Ward 5 (weekly)

MINUTES – Continued:

CITY MANAGER SELBY recommended the next step include developing a pro forma to show how the financing is going to come together for this project, completing the design guidelines, doing some marketing in order to make the development interests aware of the project, and defining a process to pre-qualify developers, as well as defining a process to undertake land sales.

MAYOR GOODMAN mentioned that it is exciting to be building a city within the City. He commended his fellow Council members for their vision on this project, which will bring a vibrancy the community has never experienced. He applauded CITY MANAGER SELBY for his hard work.

ISAAC HENDERSON, West Charleston resident, fully supported this project. He pointed out that it would be beneficial to include an institution that keeps the teachers educated on the most current technology. He then presented some documents on the overhead, but the Mayor pointed out that they did not relate to this matter. MR. HENDERSON reiterated that keeping the educators educated is key to bringing in more money to the community.

NOTE: COUNCILMAN MACK directed CITY MANAGER SELBY to explore the possibility of naming an interior street of the project after MR. OGLESBY. CITY MANAGER SELBY answered that he is already exploring that possibility.

(10:12 – 10:24)

1-2458

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Discussion and possible action regarding City Parkway IV and City Parkway V executing a Memorandum of Understanding with the Board of Regents of the University and Community College System of Nevada (UCCSN) for the development of an academic medical center on 8 acres of the 61 acres, APN 139-34-110-003 - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This Memorandum of Understanding (MOU) expresses the interest and commitment of City Parkway IV and City Parkway V to convey approximately 8 acres of the 61 acres to UCCSN for the development of an academic medical center. Approximately 10 acres of adjacent property will be reserved for possible additional development of a hospital. All final terms and conditions will be set forth in a Disposition and Development Agreement to be negotiated and finalized by October 31, 2004. When the DDA is executed, UCCSN agrees to reconvey the 10 acres at the Las Vegas Tech Center previously conveyed by the City to UCCSN.

RECOMMENDATION:

It is recommended that the City support the development of an academic medical center by UCCSN and approve City Parkway IV and City Parkway V entering into this MOU.

BACKUP DOCUMENTATION:

Memorandum of Understanding

MOTION:

GOODMAN – APPROVED the amended MOU – UNANIMOUS with WEEKLY abstaining because he was not made aware of this MOU prior to this meeting

MINUTES:

NOTE: Subsequent to the meeting, a Verbatim Transcript was made a part of the Final Minutes.

CITY MANAGER SELBY reported that this item relates to land transactions the City is contemplating with the University of Nevada School of Medicine. About ten years ago, the City provided the University with ten acres of land in the Technology Park, which was intended to be the campus for a medical complex for the School of Medicine. This item includes the exploration of possibly locating the School of Medicine on the 61-acre parcel as part of the academic medical campus. The Memorandum of Understanding conveys to the Board of Regents and the School of Medicine the City's intent and willingness to go forward with such a transaction.

CITY COUNCIL MEETING OF MAY 5, 2004

Administrative

Item 48 – Discussion and possible action regarding City Parkway IV and City Parkway V executing a Memorandum of Understanding with the Board of Regents of the University and Community College System of Nevada (UCCSN) for the development of an academic medical center on 8 acres of the 61 acres, APN 139-34-110-003 – Ward 5 (Weekly)

MINUTES – Continued:

DEPUTY CITY ATTORNEY TERI PONTICELLO indicated that this item is to authorize City Parkway IV and V to enter into this MOU. Since the MOU was submitted, there have been changes with respect to the property and some housekeeping matters. City Parkway IV's entire interest was transferred to City Parkway V; thus, making City Parkway IV the entity holding the entire 61 acres. Also, additional changes have come about as a result of some discussions with the University Council. The City of Las Vegas will be added as an additional party to the MOU. The City of Las Vegas will be a separate party from City Parkway V. Staff will be bringing forward an item regarding this change on another agenda. She read additional changes to Sections 4-C and 4-D of the MOU: 4-C) The City and City Parkway will not make any representations and warranties and/or indemnities as to the environmental conditions of the project at this time. All representations, warranties and/or indemnities related to the environmental conditions will be subject to negotiation in the final Development and Disposition Agreement. The City and City Parkway agree to assist UCCSN with its environmental due diligence review and investigation of the center parcel. The City and City Parkway will not make representations and warranties as to the feasibility of the construction of the center. 4-D) The City and City Parkway will have no responsibility for the cost and development of the center. UCCSN, the City, and City Parkway hereby acknowledge that during the planning process and the negotiation of the DDA certain infrastructure issues will have to be agreed upon between the parties, such as 1) the requirements of City Parkway or the City to deliver infrastructure improvements to the center parcel, and 2) the amount and form of reimbursement, if any, by the University for infrastructure costs allocable to the center. UCCSN will indemnify the City and City Parkway in connection with any liabilities related to the construction operation of the center to the extent provided in the DDA.

DEPUTY CITY ATTORNEY PONTICELLO indicated there were other minor changes recommended by the University Council that are acceptable to staff. She recommended these also be incorporated into the MOU.

DR. JIM LENHARDT, Vice Dean of the School of Medicine of the University of Nevada, was present, accompanied by ATTORNEY ED GARCIA, University Counsel. ATTORNEY GARCIA thanked the Council and its staff, CITY MANAGER SELBY and his staff, and the City Attorney's Office for their cooperation in finalizing this MOU. He pointed out that the State Board of Regents has yet to consider it on its June agenda.

CITY COUNCIL MEETING OF MAY 5, 2004

Administrative

Item 48 – Discussion and possible action regarding City Parkway IV and City Parkway V executing a Memorandum of Understanding with the Board of Regents of the University and Community College System of Nevada (UCCSN) for the development of an academic medical center on 8 acres of the 61 acres, APN 139-34-110-003 – Ward 5 (Weekly)

MINUTES – Continued:

DR. LENHARDT urged the Council to move forward with this project, as improved health care is very much needed in Las Vegas, along with a physician workforce to meet the exploding population of the state. He offered his full assistance in moving forward with a world-class academic medical center. MAYOR GOODMAN affirmed that DR. LENHARDT is fully committed to this project.

COUNCILMAN BROWN assured DR. LENHARDT that he is very energized about the Mayor's vision for downtown. However, he brought up an issue that he would like resolved. There seems to be some disagreement as far as the conveyance of the land referenced in the subject MOU and located at the High-Tech Park. The University of Nevada Reno (UNR) has title to that land, and, after the original conveyance, the agreement for that land was extended twice. The second extension went past the deadline and triggered action by the City. To his understanding, the City Manager's Office drafted a letter putting UNR on notice that it is in default of the extension of the second agreement. Thus, in the event that the DDA is not finalized by 10/31/2004, or, if circumstances beyond both parties' control push that date back, the issue of the status of the ten acres at the High-Tech Park is going to have to be addressed. He felt strongly that this issue should be addressed, because the MOU acknowledges that UNR'S reconveyance of that land is in default, and he does not want to be arguing this issue down the road.

DEPUTY CITY ATTORNEY PONTICELLO indicated that the property at the High-Tech Park is vested in the name of the University system, and a default notice was issued last year. This MOU has been structured so that upon the execution of the final DDA to be negotiated between the University, the City, and City Parkway, the University would reconvey that parcel.

COUNCILMAN BROWN insisted that, in his opinion, the MOU is giving new standing to the ten acres. DEPUTY CITY ATTORNEY PONTICELLO indicated that the Notice of Default is still in effect, and staff will try to resolve the reconveyance parcel. ATTORNEY GARCIA agreed that his client is not gaining additional property. This is an issue that should be addressed to everyone's satisfaction through the DDA. COUNCILMAN BROWN stressed that he does not want to be arguing over the ten acres a year from now, because that property is critically important to the expansion of the medical industry in the area.

COUNCILLMAN WEEKLY felt excited about the synergy of the 61 acres.

(10:24 – 10:38)

1-3068/2-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: CHRIS KNIGHT, ACTING**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Report on the status of current Office of Business Development Projects - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

To update City Council on the status of current Office of Business Development projects.

RECOMMENDATION:

Report only; no action required

BACKUP DOCUMENTATION:

1. Submitted at Council meeting: fax cover sheet with attached letter dated 5/3/2004 from David Smith and lease update for Edmond Town Center
2. Submitted after Council meeting: hard copy of PowerPoint

MOTION:**None required. A report was given.****MINUTES:**

CHRIS KNIGHT, Acting Director, Office of Business Development, introduced STEVE VAN GORP, Redevelopment Officer, who gave a report using a PowerPoint presentation, which is made a part of the final minutes, on the status of many of the contracted projects in the downtown area. MR. KNIGHT noted that this is the first of the Council requested monthly reports.

Las Vegas Premium Outlets – project had a short employment plan within an Owners Participation Agreement with the Agency. Compliance with prevailing wage requirements was met. The entire TIF arrangement totaled less than \$3.4 million over a ten-year life of the deal. Staff is currently working with Chelsea to issue them the first refund check, which means they in turn will pay their first tax bill to the City. MAYOR GOODMAN questioned the amount of the first refund check to be turned over to the City. MR. KNIGHT answered that on 2/27/2004 Chelsea paid \$141,072.66. At this point there has not been an increment rebate. Once the justification is received, the amount projected is \$57,839.79.

World Market Center – recently restructured its development team to include its new partner, Related Companies, for which an estoppel agreement will be drafted. World Market Center has an owner participation agreement worth about \$41 million. The employment plan was expanded by amendment from short form to long form with the help of the community and strive-achieve goals were established set for minority, women, and disabled veterans. The project has currently achieved

CITY COUNCIL MEETING OF MAY 5, 2004

Business Development

Item 49 – Report on the status of current Office of Business Development Projects – All Wards

MINUTES – Continued:

4% for these categories, and it may reach 7% if the contractor implements all its strategies. Progress is monitored monthly with full reporting and weekly construction progress calls. Ostensibly, \$191 million in financing has been locked for the first tower. It is anticipated that the first three towers and convention space will generate about 10,000 jobs on-site.

IRS Regional Headquarters – third TIF project with the City. The developer was requested to begin to supply quarterly reports in fulfillment of its employment plan with the City. Pre-planning for the second speculative office tower is progressing well and pre-leasing is going strong. It is possible the tower could reach ten stories with structured parking on-site.

L’Octaine – project will include a 4,000 square-foot retail shop at ground level with parking under the building.

PePe’s Tacos – this is the second location for this business and the monies contributed is less than 3% of the total cost of the project. ADA standards will be met. Since the Agency contributed less than \$100,000 there is no requirement for an employment plan or prevailing wage.

Fingerprint Building – purchased by the City from Clark County to make it available for immediate redevelopment to attract a number of nightclubs and urban mixed uses.

Edmond Town Center – developer has been securing leases for new shops, with the goal of reaching a sufficient number of secured leases to finalize loan commitments to build the project. A report from the developer detailing the current leasing strategy was submitted.

CenterStaging – staff believes the revised contracts will be completed for Council’s review and approval within 45 to 60 days.

RFP’s – At Third and Bonneville an entire block assembled to dense urban, mixed-use development. Proposals were received, varying from 44 low-rise, high-end lofts to more than 600 condominiums in two twin towers. Staff is prepared to make a recommendation at the 5/19/2004 Council meeting. Staff proposes to enter into an exclusive negotiating agreement with the selected development team. Staff is seeking support to issue RFP’s for the parcel known as the Bulldog Site in order to develop dense, urban, mixed-uses. This parcel is ideal for a law office building, condominiums, or non-gaming executive hotels.

(10:38 – 10:50)

3-3970/2-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from April 21, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

REESE – STRIKE – UNANIMOUS with Ward 2 seat vacant

MINUTES:

The appellant was not present.

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), indicated that Metro handled this matter administratively and, therefore, should be stricken.

(10:50 – 10:51)

2-508

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Approved 11/5/2003 subject to six-month review: Melinda (Mindy) Lou George, 6409 1/2 Alisha Circle, Las Vegas, Nevada 89130

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:

There was no discussion.

(9:28 – 9:30)

1-768

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Tamara Carrera, 555 East Silverado Ranch, Building #1062, Las Vegas, Nevada 89123

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

[BACKUP DOCUMENTATION:](#)

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:

There was no discussion.

(9:28 – 9:30)

1-768

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Tina P. Morton, 305 Bonanza Way, Las Vegas, NV 89101

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

[BACKUP DOCUMENTATION:](#)

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:

There was no discussion.

(9:28 – 9:30)

1-768

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Caren Lynn Lopez, 4421 W. Washington Avenue, Las Vegas, NV 89107

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

[BACKUP DOCUMENTATION:](#)

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:

There was no discussion.

(9:28 – 9:30)

1-768

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Keith L. Brooks, 825 Camden Lane Court, North Las Vegas, NV 89030

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Appellant Letter of Appeal and City Clerk Notification Letter to Appellant
2. Letter of support from Dr. Shelia Thompson, Community College of Southern Nevada

MOTION:

REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:

There was no discussion.

(9:28 – 9:30)

1-768

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on project funding requests for fiscal year 2005 Capital Improvement Plan

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Budget and Finance☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

At the April 20 Budget Workshop, the Council gave direction to allocate an additional \$59,920,000 in funding to the fiscal year 2005 Capital Improvement Plan (CIP), including the issuance of \$20,000,000 in new park bonds. This produced a \$6,565,000 funding shortfall after consideration of the new bonds. At the Budget Workshop, Council directed staff to work towards a solution to the funding shortfall and report back at the May 5 Council Meeting. Staff will present options to the Council and request guidance toward the Final Budget submission.

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

Capital Project Funding Allocation Worksheet - April 20 Budget Workshop

MOTION:

BROWN – Motion to STRIKE – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MARK VINCENT, Director, Finance and Business Services, was present. COUNCILMAN BROWN interjected that, in a briefing the previous day, he requested additional information regarding the capital program from MR. VINCENT that could make this meeting lengthy. Therefore, he requested this matter be heard at the 5/18/2004 Special City Council meeting. MAYOR GOODMAN suggested striking this item.

NOTE: COUNCILMAN MACK requested individual budgets for each ward be presented to each of the Council members prior to the Special meeting, because he has been pressing for performance based budgeting.

NOTE: MAYOR GOODMAN directed City Clerk Ronemus to place this matter on the agenda for the 5/11/2004 Special City Council meeting as the last item for discussion.

(10:51 – 10:53)

2-530

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Bells Market Partnership, Caroline Yousif, Ptnr, 50%, Jamal Jeberaeel, Ptnr, 50%, To: Sabah Shoshani, dba Bells Market, 720 West Owens Avenue, Sabah H. Shoshani, 100% - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Sabah Shoshani

MOTION:

WEEKLY – APPROVED subject to a six-month (11/3/2004) review – UNANIMOUS with Ward 2 seat vacant

MINUTES:

The applicant was present, accompanied by ATTORNEY DAVE CROSBY.

JIM DiFIORE, Manager, Business Services, stated that at the previous Council meeting he expressed concerns with the operation of this business, as well as the applicant not having current health and alcohol awareness cards. However, the applicant has since then proved that he obtained those cards. MR. DiFIORE recommended approval of the temporary license, subject to a six-month review.

ATTORNEY CROSBY indicated that his client is willing to cooperate with the City in terms of location related problems, and, even though he was concerned about being approved for a limited license, he appreciated being given an opportunity.

(10:53 – 10:55)

2-606

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, C.R.I. - Counter Terrorism Training, LLC, dba C.R.I. - Counter Terrorism Training, 3214 West Desert Inn Road, Doron S. Benbenisty, Mgr, 85%, Christine M. Benbenisty, Mgr, 15% - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Christine Benbenisty
3. Map

MOTION:

MONCRIEF – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process– UNANIMOUS with Ward 2 seat vacant

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, stated that there is no area of concern, and MR. BENBENISTY has an interesting background. He suggested approval as recommended.

MR. BENBENISTY indicated that he has been in Las Vegas for six weeks. He operated in Baton Rouge, Louisiana for four years. He trained military personnel before they were deployed to Iraq. He trained Special Forces personnel in Singapore for the last month. His area of expertise is in counter suicide bombing, car bomb training, and hostage training. He offers training to law enforcement, federal agencies, military personnel, and civilians. He answered for MAYOR GOODMAN that he received his training in Israel.

(10:55 – 10:55)

2-671

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the planning codes, Jason Samuel Aguirre, dba Myo Works, 2701 North Tenaya Way, #100, Jason S. Aguirre, 100% (**NOTE: Item to be heard in the afternoon session in conjunction with Item #101 - SUP-3947**) - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Massage Establishment License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning codes

BACKUP DOCUMENTATION:

None

MOTION:

BROWN – APPROVED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

The applicant, JASON AGUIRRE, 433 Emerald Heights Street, was present.

There was no discussion.

NOTE: See Item 101 [SUP-3947] for all related discussion.

(2:15 – 2:18)

4-1824

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action to reconsider the City Council's Action of March 17, 2004, denying the application for Young Il Kong dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young Il Kong, 100% - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

At the March 17, 2004, City Council meeting, a new application for Grand Master Kong Taekwon-do was presented to the City Council for approval. An investigative report submitted by the Las Vegas Metropolitan Police Department resulted in the denial of this application by the City Council. Attorney Robert Gronauer, representing Young Il Kong, has new evidence which was not presented at the City Council meeting for the Council to consider in its decision on this application.

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

None

MOTION:**BROWN – Motion to reconsider – UNANIMOUS with Ward 2 seat vacant****MINUTES:**

JIM DiFIORE, Manager, Business Services, requested the Council reconsider this matter and give ATTORNEY ROBERT GRONAUER an opportunity to give a presentation.

See related Item 61 for discussion.

(10:59 – 11:00)

2-816

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a new Martial Arts Instruction Business License subject to the provisions of the fire code, Young Il Kong, dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young Il Kong, 100% - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Martial Arts Instruction Business License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

1. Map
2. Submitted at meeting: letter dated 5/4/2004 from Attorney Robert J. Gronauer with eight attached letters attesting to Mr. Kong's character, Governor's Citation certificate from State of Maryland, and letter of appreciation from the World Taekwon-do Federation

MOTION:

BROWN – APPROVED subject to a six-month (11/3/2004) review, requiring Mr. Kong to submit application for a key contact person within 30 days, and that MR. KONG be available until a key contact person is hired – motion carried with MONCRIEF voting NO and Ward 2 seat vacant

MINUTES:

ATTORNEY ROBERT GRONAUER appeared together with the applicant.

JIM DiFIORE, Manager, Business Services, was present.

ATTORNEY GRONAUER indicated that since the Council considered this matter about a month and a half ago, a meeting was held with COUNCILMAN BROWN to discuss some of the issues, and he felt comfortable that those issues were addressed. With respect to the review on the business license, he indicated MR. KONG is willing to accept a six-month review and submit application for a key employee for the site. He offered to address any additional issues.

MAYOR GOODMAN noted that the record was fully set forth by DETECTIVE STACY RODD, Las Vegas Metropolitan Police Department (Metro), when this matter was previously considered. However, he questioned what was brought to COUNCILMAN BROWN'S attention to go so far as having this matter reconsidered.

CITY COUNCIL MEETING OF MAY 5, 2004

Finance and Business Services

Item 61 – Discussion and possible action regarding a new Martial Arts Instruction Business License subject to the provisions of the fir code, Young Il Kong, dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young Il Kong, 100% - Ward 4 (Brown)

MINUTES – Continued:

ATTORNEY GRONAUER explained that there was an issue of whether or not his client confessed to the crime of kidnapping, and there was a long oscillating dialogue in trying to figure out his exact words. The fact of the matter is that he obtained and reviewed the Los Angeles Police Department reports and spoke to the investigating officer with respect to whether or not his client confessed to the crime. All the responses received indicate that MR. KONG did not confess to the crime. This was fully explained in the meeting with COUNCILMAN BROWN.

DETECTIVE RODD countered that this matter is being examined from a semantic point of view. For the record, he indicated that MR. KONG was brought into the Los Angeles Police Department and questioned by detectives about his role in the incident. MR. KONG'S representation was that it was a misunderstanding. He acknowledged that he was there and that he was in the room. Metro's focus was not so much on MR. KONG'S confession, but rather an acknowledgement that he was present and observed the beatings and torture taking place. The Los Angeles Police Department filed charges against MR. KONG.

COUNCILMAN MACK asked if the charges were dropped. DETECTIVE RODD answered that the witnesses, one of whom was a victim of the beatings, had a hard time trusting the authorities because MR. KONG has a history of training law enforcement officers. The victim thought that the Los Angeles Police Department and MR. KONG were in collusion. The witnesses subsequently disappeared because they felt unsafe; thus, the case did not go to trial.

ATTORNEY GRONAUER read from the Los Angeles Police Department report and indicated that it stated that the charges were not pursued because the witnesses had numerous opportunities to call out for help but they did not, and there were no witnesses to corroborate or support the victims' statements. ATTORNEY GRONAUER pointed out that MR. KONG has been doing Taekwon-do for about 60 years and is known as one of the founding fathers of this martial art. He is currently the president of the International Federation of Taekwon-do, which oversees millions of students. He submitted a list of character references. DETECTIVE RODD conceded that MR. KONG is probably a great martial arts instructor; however, Metro's focus is the manner in which he used his business and his conduct.

COUNCILMAN BROWN did not question that a crime occurred and that MR. KONG was involved; however, it is not clearly known to what extent. He requested to meet with MR. KONG and his attorney because he wanted to obtain a sense of the quality of MR. KONG'S

CITY COUNCIL MEETING OF MAY 5, 2004

Finance and Business Services

Item 61 – Discussion and possible action regarding a new Martial Arts Instruction Business License subject to the provisions of the fir code, Young Il Kong, dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young Il Kong, 100% - Ward 4 (Brown)

MINUTES – Continued:

character. MR. KONG indicated to him that he was really embarrassed by what he went through and talked about his family and character references. After that meeting, he felt comfortable in giving MR. KONG an opportunity to practice in the City of Las Vegas, contingent upon a six-month review, that MR. KONG submit application for a key contact within 30 days, and that MR. KONG be available until a key contact person is hired.

MAYOR GOODMAN confirmed with MR. KONG that he fully understood and accepted the conditions.

(11:00 - 11:16)

2-842

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Report and possible action on the Sky Vue Mobile Home Park, 15 West Owens Avenue and to allocate funds for temporary housing and relocation costs of displaced residents in an amount not to exceed \$100,000 and other matters pertaining thereto - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount: \$100,000**☒**Budget Funds Available****Dept./Division: Neighborhood Services**☐**Augmentation Required****Funding Source: General Fund-Winter Shelter Fund****PURPOSE/BACKGROUND:**

On Thursday, April 29, 2004, Judge Hardcastle lifted the temporary restraining order against the closure of the Sky Vue Mobile Home Park and the City is proceeding in the enforcement of the order of the Fire and Building officials to evacuate the residents living at 15 West Owens. The City and various community agencies have been working with residents in their relocation efforts.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

None

MOTION:

WEEKLY – APPROVED as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

ORLANDO SANCHEZ, Director, Neighborhood Services

MICHAEL MACK, Councilman

BRAD JERBIC, City Attorney

LAWRENCE WEEKLY, Councilman

GARY REESE, Councilman

AL GALLEGOS, Citizen of Las Vegas

TODD FARLOW, 240 N. 19th Street

BEATRICE TURNER, West Las Vegas resident

DOUG SELBY, City Manager

LARRY BROWN, Councilman

CITY COUNCIL MEETING OF MAY 5, 2004

Neighborhood Services

Item 61A - Report and possible action on the Sky Vue Mobile Home Park, 15 West Owens Avenue and to allocate funds for temporary housing and relocation costs of displaced residents in an amount not to exceed \$100,000 and other matters pertaining thereto - Ward 5 (Weekly)

MINUTES – Continued:

NOTE: MAYOR GOODMAN directed CITY ATTORNEY JERBIC to file suit as soon as possible against the owners of Sky Vue for the hard costs and City staff time. Also, to draft an ordinance, if not already in place, making slumlords subject to criminal sentencing.

NOTE: COUNCILMAN REESE directed CITY ATTORNEY JERBIC to file a lien on the property in order to get reimbursed for the expenses incurred by the City.

NOTE: MAYOR GOODMAN directed CITY MANAGER SELBY to put an item on the 5/19/2004 agenda to discuss the City's future position, as a matter of policy, in similar situations. Additionally, COUNCILMAN BROWN stressed that he would like that item to allow for discussion regarding the extent of the City's involvement in such situations.

(11:16 – 11:40)

2-1431

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 - Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway) - Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Reconsider prior Council actions in light of a recent regional mall proposal.

RECOMMENDATION:

To be available at meeting

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

MACK – APPROVED to delay the bid opening to 6/1/2004 – UNANIMOUS with GOODMAN abstaining to avoid any potential conflict because this involves the property of MR. SCHULMAN, who is the partner of JERRY SNYDER, with whom the Mayor has a business relationship and Ward 2 seat vacant

NOTE: Before indicating his abstention for the above reason, MAYOR GOODMAN asked CITY ATTORNEY JERBIC if he should abstain because the Centennial Academy could be in direct competition with the Meadows School, with which his wife is involved. However, after hearing from MS. WILSON that the Centennial Academy is not geared towards college prep and keeping in mind the policies of Meadows School, MAYOR GOODMAN indicated that he would partake in this matter, on the advice of CITY ATTORNEY JERBIC that disclosure would suffice.

MINUTES:

RICHARD GOECKE, Director, Public Works, reported that a special improvement district was approved for improvements on Grand Montecito Parkway, which would be built to four lanes, from Elkhorn to Centennial Parkway. This was done in accordance with the Master Traffic Plan for the development. However, Triple Five Development recently proposed to build a regional mall in the area. This changes the complexity of the traffic study. Staff does not believe that a four-lane road could adequately handle the traffic a regional mall would bring. Staff feels it would be necessary to go to six lanes. The necessary right-of-way was acquired for a four-lane

CITY COUNCIL MEETING OF MAY 5, 2004

Public Works

Item 62 - Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 - Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway) - Ward 6 (Mack)

MINUTES – Continued:

road; the bidding process is in place; and the bid opening was set for 5/20/2004. Staff has held many meetings with many of the developers and the engineers as to how to go from the current planned four-lane road to a six-lane road. It was determined that in order to accomplish this, it would be necessary to start over with the Special Improvement District process and to acquire necessary right-of-way. MR. GOECKE felt that the only way to proceed would be for Triple Five Development to take the lead in working these issues out with the other five property owners, because the City does not have the necessary leverage, and it has already gone through required steps to build a four-lane road. The only way to accommodate Triple Five at this point would be to delay the bid opening date from 5/20/2004 to 6/1/2004. During the interim they could work out the issues with the other developers. MR. GOECKE noted that the City made commitments to different property owners in the area. One is to the Centennial Academy to put in infrastructure by the end of July 2004. So either Triple Five needs to come up with solutions by 6/1/2004, or the City must move forward with the four-lane bids to proceed and honor the commitments made.

COUNCILMAN MACK felt that Triple Five would build a beautiful showcase mall, but there were some issues that need resolution. He asked what would have happened if this proposal had come in three months from now, when construction had commenced on the four-lane parkway, or even later than that, when the four-lane road was completed. MR. GOECKE indicated that staff would insist on extending the road to six-lanes in order to accommodate a regional mall, even if the four-lanes were already in place. This property is a burden for Triple Five because there is no dedicated right-of-way. The additional land that has to be dedicated comes at a high price.

BERRY BENDER, representing Triple Five Development, appeared with DAVID GERMASIAN, owner of Triple Five Development. MR. BENDER indicated that discussions have been taking place with all the property owners in the area for several weeks regarding the impact of the mall and the revision associated with the SID. Triple Five Development is willing to pay for the difference in the SID, should it go forward, from four lanes to six lanes and acquire the right-of-way. Triple Five Development would also have to seek the concurrence of the affected property owners regarding any delays. At the meetings, Triple Five Development presented two options to the property owners: enter a new SID or modify the existing SID. The property owners preferred a modified SID, thus, allowing Triple Five Development to meet the requirements the City would impose. These requirements would include securing agreements, commitments, and satisfying existing obligations, such as the access to the school site. He noted that all the requirements could be met by the allotted timeline; therefore, he requested the Council's approval.

CITY COUNCIL MEETING OF MAY 5, 2004

Public Works

Item 62 - Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 - Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway) - Ward 6 (Mack)

MINUTES – Continued:

ATTORNEY TOM AMICK, 3800 Howard Hughes Parkway, appeared on behalf of the Montecito Companies, which has been working very hard with the City for the past six years on this quadrant of Town Center. Completion of the Montecito Parkway, by the agreed to date in the development agreement, is integral to their plans. He presented pictures of the planned school for the area that is slated to open by the end of 2004. He pointed out that the Montecito Companies are not opposed to the mall, but it is a request that has come in too late and would change a roadway that everyone has relied upon to this point. He requested the Council require Triple Five representatives to meet and obtain approval of the Montecito Companies before approving any delay of the bid opening. MR. GERMASIAN indicated that he is willing to build a temporary access to the school within the next two weeks, if necessary, or to provide cash to the City so it could provide the temporary access so that the school could open on time.

RUSSELL SKUSE, representing Richmond American Homes, concurred with the concerns of ATTORNEY AMICK, particularly with the delays, because Richmond has already submitted plans to Express Check and is looking to start grading within the next two to three months. Also, he questioned how long the temporary access would be in place and whether it would accommodate the traffic with the intended homes that are to be built.

ROCHELLE WILSON, one of the founding board members for Centennial Academy, agreed with both ATTORNEY AMICK and MR. SKUSE regarding the delays. She impressed upon the Council that there are parents of 165 children who already paid deposits, with a minimum of two to three caregivers for each child who are depending and have already made lifestyle changes based upon Centennial Academy opening in September, based on the representations that were made long before the mall was proposed.

COUNCILMAN MACK stressed that he is aware of the various commitments that have been made. But he would like to allow two weeks to resolve the issues. He and MR. GERMASIAN have discussed performance bonuses if the timelines are met. He has also talked to MR. GOECKE and MR. KAJKOWSKI about requiring cash deposits, not bonds, because bonds can be litigated, to assure that the project will go forward. He would also like a site plan to see how the proposed mall would fit in with the other developments in the area. MR. GERMASIAN assured COUNCILMAN MACK that a site plan is available and that it would be made available to those interested in reviewing it.

CITY COUNCIL MEETING OF MAY 5, 2004

Public Works

Item 62 - Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 - Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway) - Ward 6 (Mack)

MINUTES – Continued:

With respect to the Centennial Academy, MR. GOECKE indicated that delaying the bid opening to 6/1/2004 would give the contractor a 40-day period to satisfy the requirement to provide paved access to the Academy. However, he requested a schedule from Triple Five Development showing the method to meet the obligations, financial assurance in the event the timelines could not be met, and affidavits from the affected property owners indicating that they are willing to dedicate the right-of-way, commit to the revised schedule, and hold the City harmless in the event situations arise that are beyond the City's control.

COUNCILMAN MACK asked if a certificate of occupancy could be issued with a temporary road in place. MR. GOECKE answered that staff would sign off on it, but the SID is not temporary.

COUNCILMAN BROWN remarked that even though the mall was not part of the existing planned development for the area, and there might be some hurdles to overcome, he sees this as an opportunity to bring in a project that would complement the surrounding development. He encouraged City staff and the surrounding developers to work with Triple Five Development to make the mall project successful. MR. GERMASIAN assured COUNCILMAN BROWN that the property owners have been as cooperative as possible and that he too is willing to do whatever necessary to accommodate the surrounding landowners. COUNCILMAN BROWN appreciated that, noting that there are landowners in the area that have taken tremendous risks and economic hits in maintaining the integrity of Town Center and the City has to make certain that their interests are protected.

(11:40 –12:06)

2-2427/3-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BOARDS & COMMISSIONS:

ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Each member of Council appoints one member subject to ratification by the Council with terms concurrent with the term of the appointing City Council member. All members of this board must be City residents and fill unexpired terms. Additionally, no fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City. The other four citizen members are not required to fill a specific category. Lolanda Bunch, Councilman Weekly's appointment, has resigned and it will be necessary to fill this unexpired term. This item was abeyed at the April 21, 2004 Council Meeting.

RECOMMENDATION:

Councilman Weekly to recommend his coterminous appointee, filling Ms. Bunch's unexpired term. The appointee must be a city resident, may be a licensed operator of a child care facility or may be a citizen member.

BACKUP DOCUMENTATION:

1. Resignation letter from Lolanda Bunch
2. Current Listing and Authority – Child Care Licensing Board
3. Submitted after final agenda – Board Interest Forms from Lilliane G. Brumwell and Tanya Ruddy

MOTION:

WEEKLY – ABEYANCE to 5/19/2004 – UNANIMOUS with GOODMAN abstaining because the Child Licensing Board has jurisdiction over the Meadows Preschool and Ward 2 seat vacant

MINUTES:

COUNCILMAN WEEKLY indicated that he would like to forward the two applications he received to JIM DiFIORE, Manager, Business Services, for review and recommendation.

(12:06 – 12:07)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ CONSENT ☒ DISCUSSION**SUBJECT:**

BOARDS & COMMISSIONS:

CLARK COUNTY DISTRICT BOARD OF HEALTH – Sherry Colquitt, Term Expiration 5-15-2004

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This Board is governed by NRS 439.390 and LVMC 2.36 stipulating that the District Board of Health shall consist of two members from each participating entity, with one member to be an elected official. Currently, Sherry Colquitt and Councilman Reese serve as the City's two representatives on this Board. Members appointed to this Board serve two-year terms. There is no City residency requirement, nor is there a limit to the number of terms which may be served. Ms. Colquitt is eligible and wishes to be reappointed if the Council so desires.

RECOMMENDATION:

Procedure for this Board requires appointment by the City Council. Options are to reappoint Ms. Colquitt or appoint a new member to fill this seat.

BACKUP DOCUMENTATION:

Current listing and Authority - Clark County District Board of Health

MOTION:

REESE – ABEYANCE to 5/19/2004 – UNANIMOUS with BROWN not voting and Ward 2 seat vacant

MINUTES:

COUNCILMAN REESE mentioned that he has not spoken with MS. COLQUITT about reappointment.

(12:07 – 12:08)

3-153

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-23 – Annexation No. ANX-3835 – Property location: On the northeast corner of Cartier Avenue and Maverick Street; Petitioned by: Saint Mary Coptic Orthodox Church; Acreage: 2.42 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Cartier Avenue and Maverick Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 14, 2004) is set by this ordinance.

NOTE: The property is developed with a church.

RECOMMENDATION:

ADOPTION at 5/5/2004 City Council meeting pursuant to the 4/19/2004 Recommending Committee.

First Reading – 4/7/2004; First Publication – 4/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-23 and Location Map

MOTION:

WEEKLY – Second Reading and Bill ADOPTED as recommended as Ordinance No. 5692 – UNANIMOUS with BROWN not voting and Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:08)

3-172

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-24 – Annexation No. ANX-3871 – Property location: On the southwest corner of Buffalo Drive and Iron Mountain Road; Petitioned by: CCM Trust; Acreage: 10.75 acres; Zoned: R-E (County zoning), U (R-E) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southwest corner of Buffalo Drive and Iron Mountain Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 14, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 5/5/2004 City Council meeting as a First Amendment pursuant to the 4/19/2004 Recommending Committee.

First Reading – 4/7/2004; First Publication – 4/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-24 and Location Map - First Amendment

MOTION:

WEEKLY – Second Reading and Bill ADOPTED as a First Amendment as Ordinance No. 5693 – UNANIMOUS with MACK not voting and Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:08 – 12:09)

3-193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-26 – Establishes the “Las Vegas Boulevard Scenic Byway Overlay District,” together with related regulations governing signage. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will create a zoning overlay district to correspond to the State designation of a portion of Las Vegas Boulevard as a “scenic byway.” The overlay district will establish requirements and prohibitions to ensure that signage within the district is compatible with the designation.

RECOMMENDATION:

ADOPTION at 5/5/2004 City Council meeting pursuant to the 4/19/2004 Recommending Committee.

First Reading – 4/7/2004; First Publication – 4/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-26

MOTION:

WEEKLY – Second Reading and Bill **ADOPTED** as recommended as Ordinance No. 5694 – **UNANIMOUS** with MACK not voting and Ward 2 seat vacant

Clerk to proceed with second publication.

MINUTES:

There was no discussion.

(12:09 – 12:10)

3-214

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Motorized scooters and motorized skateboards are subject to State laws that govern operator licensing and minimum vehicle equipment. A significant number of these scooters and skateboards are being operated on City streets in violation of State law, and it appears that many who purchase these items are not made aware of the restrictions. This bill will require merchants to disclose this information in connection with the sale of motorized scooters and motorized skateboards.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

5/19/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

State and local laws currently prohibit certain acts to promote or facilitate fights between animals. This bill go a step further and prohibit the breeding or training of animals for the purpose of using them in an animal fighting venture.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

5/19/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge.
Sponsored By: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$51,187,785

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects. Costs will be recovered over a 20 year period through the levy and collection of special assessments.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

5/19/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge.
Sponsored By: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$51,187,785

☒

Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects. Costs will be recovered over a 20 year period through the levy and collection of special assessments.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

5/19/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$41,902.50

☒

Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the annual maintenance costs of street beautification improvements along Alta Drive from Rancho Drive to approximately 275 feet west of Lacy Lane. The fiscal amount reflects the estimated maintenance costs from July, 2004 through June, 2005.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

5/19/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed \$51,185,000. - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount: \$51,185,000

☐

Budget Funds Available

Dept./Division: Cliff's Edge Agency Fund

☐

Augmentation Required

Funding Source: SID assessments in district 607

PURPOSE/BACKGROUND:

The bonds are being issued by the City pursuant to the Nevada Consolidated Local Improvement Law (NRS 271) in order to finance the acquisition of certain public improvements for property located in the City's Special Improvement District No. 607 pursuant to the District Financing Agreement between the developer (Cliff's Edge) and the City. The bonds do not constitute a debt of the City.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

5/19/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2004-36 – An ordinance amending Ordinance No. 5533 authorizing the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, and providing other matters relating thereto - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Because the parking garage originally planned for this bond issue is now no longer feasible, the City has changed the use of the proceeds to the construction of a second tower for the City Hall campus. Additionally, the pledged source for repayment has been changed from the parking enterprise fund to consolidated tax. We obtained approval from the Clark County Debt Management Commission on December 5, 2003 and a consent has been issued by the insurer of the bonds.

RECOMMENDATION:

This bill should be submitted to a recommending committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-36

MOTION:

None required. A presentation was made.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

5/17/2004 Recommending Committee

5/19/2004 Council Agenda

(12:10 – 12:11)

3-234

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-37 – Prohibits the sale of new vehicles (cars and trucks) on Sundays. Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In 2001, the Southern Nevada Regional Planning Coalition adopted a resolution recommending that area local governments adopt ordinances to prohibit motor vehicle dealers from selling new vehicles (cars and trucks) on Sundays. Clark County adopted such an ordinance in 2001, and it has been proposed that the City do likewise.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-37

MOTION:

None required. A presentation was made.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

5/17/2004 Recommending Committee

5/19/2004 Council Agenda

(12:10 – 12:11)

3-234

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-38 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered Local Improvement District Bonds Series 2004B, for Special Improvement Districts (SID) numbers 1474 and 1486 in an amount not to exceed \$750,000 - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$750,000

☒

Budget Funds Available

Dept./Division: Finance & Business Services

☐

Augmentation Required

Funding Source: SID assessments in the respective districts.

PURPOSE/BACKGROUND:

The City has created the improvement district in compliance with NRS 271. NRS Chapter 350 authorizes the issuance of bonds for the SID district to repay short term financing (Internal Service Fund). The term of these bonds will be ten years and will be funded with the SID assessments in the district.

RECOMMENDATION:

This bill should be submitted to a recommending committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-38

MOTION:

None required. A presentation was made.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

5/17/2004 Recommending Committee

5/19/2004 Council Agenda

(12:10 – 12:11)

3-234

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-39 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered Local Improvement District Bonds Series 2004A, for Special Improvement District (SID) number 1481 in an amount not to exceed \$2,800,000 - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$2,800,000

☒

Budget Funds Available

Dept./Division: Finance & Business Services

☐

Augmentation Required

Funding Source: SID assessments in the respective districts.

PURPOSE/BACKGROUND:

The City has created the improvement district in compliance with NRS 271. NRS Chapter 350 authorizes the issuance of bonds for the SID district to repay short term financing (Interim Warrant). The term of these bonds will be twenty years and will be funded with the SID assessments in the district.

RECOMMENDATION:

This bill should be submitted to a recommending committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-39

MOTION:

None required. A presentation was made.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

5/17/2004 Recommending Committee

5/19/2004 Council Agenda

(12:10 – 12:11)

3-234

THE MORNING SESSION RECESSED AT 12:11 P.M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE announced that MAYOR GOODMAN would be excused for the afternoon session of the meeting, as he had to take his mom to the hospital. MAYOR PRO TEM REESE wished her a speedy recovery.

DEPUTY CITY ATTORNEY BRYAN SCOTT advised COUNCILMAN MACK that he has a conflict on Items 119 [SUP-3980] and 120 [SDR-3979] that have been requested be held in abeyance and recommended that he abstain from voting. COUNCILMAN MACK disclosed that although POUY PREMSRIRUT no longer represents Las Vegas Previews or Ipolitics, companies he is involved with, he does not believe the financial relationship with that firm has been terminated at this time. However, he was advised by the City Attorney's Office that he could vote on the abeyance for Items 119 [SUP-3980] and 120 [SDR-3979].

DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

(1:22 – 1:28)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing and possible action on the submittal of the Clark County and City of Las Vegas Housing and Urban Development (HUD) 2004 Action Plan of the HUD Consolidated Plan for allocation of \$11,909,700 - All Wards

Fiscal Impact☐**No Impact****Amount:** \$11,909,700☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** CDBG/HOME/HOPWA/ESG**PURPOSE/BACKGROUND:**

In order to receive federal and state funds for housing and community development activities, the City, in conjunction with Clark Co., must submit an Action Plan (see attachment) to the U.S. Dept. of Housing and Urban Development (HUD) no later than May 15, 2004. The Action Plan indicates the amount of funding allocated to each local jurisdiction for the period of July 2004 through June 2005. The funding sources include Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons With AIDS (HOPWA).

RECOMMENDATION:

Staff recommends to approve, adopt, and authorize submittal of the Action Plan to the Department of Housing and Urban Development (HUD) including consideration of public comment as required by HUD.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Excerpt of Action Plan pertaining to City of Las Vegas

MOTION:

BROWN – APPROVED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

NOTE: COUNCILMAN MACK disclosed that he is a consultant for a SuperPawn owned by his brother, STEVEN MACK. Although, located in the vicinity, he does not believe it will have any effect on the business and will be voting on this item.

CITY COUNCIL MEETING OF MAY 5, 2004

Neighborhood Services

Item 79 – Public Hearing and possible action on the submittal of the Clark County and City of Las Vegas Housing and Urban Development (HUD) 2004 Action Plan of the HUD Consolidated Plan for allocation of \$11,909,700

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

TIM WHITWRIGHT, Senior Planner, Neighborhood Services, explained that the item is a draft Action Plan, which is to be submitted to the Department of Housing and Urban Development (HUD). In order for the City to receive federal and state funds for housing and community development activities, the City, in conjunction with Clark County, must submit the plan to HUD no later than May 15, 2004. The Action Plan shows how funds are allocated to the City through four programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and the Housing Opportunities for Persons with AIDS (HOPWA). The draft plan will indicate the projects and programs, which the Council approved in March 17, 2004 based upon recommendations from the Community Development Recommending Board. The Plan will also indicate the methods of distributions of these funds, as well as the coordination of housing and community efforts within the City.

MR. WHITRIGHT added that the citizen participation process included four focus group meetings held in August 2003, at the beginning of the process. The meetings were conducted within West Las Vegas, Downtown, East Las Vegas and Meadows Village areas. The purpose was to obtain the community priorities from the perspective of the residents. The draft Action Plan was made available for public review on April 5, 2004 for a 30-day comment period. The total funding is \$11,909,700 in state and federal grant funds. Copies of the plan were distributed to 49 sites, which included schools, libraries and community centers in order to get comments from the residents. MR. WHITRIGHT recommended approval.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:28 – 1:31)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

EXTENSION OF TIME - SPECIAL USE PERMIT
80 EOT-4166 - Applicant/Owner: Citystop VI, Limited Liability Company

EXTENSION OF TIME - REZONING
81 EOT-4181 - Applicant/Owner: Golden Rule, Inc.

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW
82 EOT-4191 - Applicant/Owner: Golden Rule, Inc.

DISCUSSION/ACTION ITEMS

REVIEW OF CONDITION - PUBLIC HEARING
83 ROC-4170 - Applicant: Astoria Homes - Owner: Astoria Northwest 40, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING
84 SDR-3996 - Applicant: First Street Ventures, Limited Liability Company – Owner: Equilos Enterprises, Limited Liability Company

MASTER DEVELOPMENT PLAN REVIEW - PUBLIC HEARING
85 MDR-3867 - Applicant/Owner: Howard Hughes Properties

MAJOR MODIFICATION - PUBLIC HEARING
86 MOD-3955 - Applicant: Cliff's Edge, Limited Liability Company – Owner: Cliff's Edge, Limited Liability Company, et al

VACATION - PUBLIC HEARING
87 VAC-3861 - Applicant: City of Las Vegas
88 VAC-3926 - Applicant: Henry Brent Company – Owner: Steadfast AMX I, Limited Liability Company and Steadfast AMX II, Limited Liability Company
89 VAC-3932 - Applicant: Pacific Coast Development – Owner: Dark, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of May 5, 2004

- VARIANCE - PUBLIC HEARING
90 **ABEYANCE ITEM - VAR-3880** - Applicant/Owner: Asie Jah
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3880 - PUBLIC HEARING
91 **ABEYANCE ITEM - SDR-3710** - Applicant/Owner: Asie Jah
- VARIANCE - PUBLIC HEARING
92 **VAR-4001** - Applicant/Owner: Joseph & Lonnie Noble
- REZONING RELATED TO VAR-4001 - PUBLIC HEARING
93 **ZON-3998** - Applicant/Owner: Joseph & Lonnie Noble
- WAIVER RELATED TO VAR-4001 AND ZON-3998 - PUBLIC HEARING
94 **WVR-4002** - Applicant/Owner: Joseph & Lonnie Noble
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4001, ZON-3998 AND WVR-4002 - PUBLIC HEARING
95 **SDR-3999** - Applicant/Owner: Joseph & Lonnie Noble
- VARIANCE - PUBLIC HEARING
96 **ABEYANCE ITEM - VAR-3288** - Applicant: Paul and Sandy Brosseau
97 **VAR-4232** - Applicant: Taney Engineering - Owner: Citation Homes
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4232 - PUBLIC HEARING
98 **SDR-4139** - Applicant: Taney Engineering - Owner: Citation Homes
- REQUIRED ONE-YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING
99 **RQR-4177** - Applicant: Jackpot Bail Bonds - Owner: Krishna, Inc.
- SPECIAL USE PERMIT - PUBLIC HEARING
100 **ABEYANCE ITEM - SUP-3152** - Applicant: Noriko Takada Oba Qualified Trust – Owner: Reagan National Advertising
101 **SUP-3947** - Applicant: Jason Aguirre – Owner: THL, Limited Liability Company
102 **SUP-3961** - Applicant: Nameer Kalandos – Owner: Mehran David Kohanbash
103 **SUP-3969** - Applicant: Advance America, Cash Advance Centers of Nevada, Inc. – Owner: Roger Anderson
104 **SUP-3972** - Applicant: Regan National Advertising - Owner: J.G. Sahara, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

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City Council Meeting of May 5, 2004

SPECIAL USE PERMIT - PUBLIC HEARING

- 105 **SUP-3973** - Applicant: Regan National Advertising - Owner: Rita Quam Family Trust
- 106 **SUP-3983** - Applicant: Scott Stromwall – Owner: Ray St. Clair
- 107 **SUP-3984** - Applicant: Island Restaurant – Owner: Howard Hughes Canyon Pointe Q4
- 108 **SUP-3986** - Applicant: Mustafa Kavrukclar – Owner: Rita Quam Family Trust

REZONING - PUBLIC HEARING

- 109 **ABEYANCE ITEM - ZON-2457** - Donna F. Beam Revocable Trust

SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING

- 110 **ABEYANCE ITEM - SUP-3896** - Applicant: Investment Equity Builders – Owner: Donna F. Beam Revocable Trust

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING

- 111 **ABEYANCE ITEM - SDR-2458** - Donna F. Beam Revocable Trust

REZONING - PUBLIC HEARING

- 112 **ABEYANCE ITEM - ZON-3665** - Applicant/Owner: Donna J. Capri
- 113 **ABEYANCE ITEM - ZON-3919** - Applicant/Owner: Cornerstone Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3919 - PUBLIC HEARING

- 114 **ABEYANCE ITEM - SDR-3920** - Applicant/Owner: Cornerstone Company

REZONING - PUBLIC HEARING

- 115 **ZON-3708** - Applicant/Owner: Emerald Crest Holdings, Limited Liability Company
- 116 **ZON-4124** - Applicant/Owner: David Litvak

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4124 - PUBLIC HEARING

- 117 **SDR-3768** - Applicant/Owner: David Litvak

REZONING - PUBLIC HEARING

- 118 **ZON-3976** - Applicant: Chrysalis Investments, Limited Liability Company – Owner: SCME, Limited Liability Company

SPECIAL USE PERMIT RELATED TO ZON-3976 - PUBLIC HEARING

- 119 **SUP-3980** - Applicant: Chrysalis Investments, Limited Liability Company – Owner: SCME, Limited Liability Company

- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3976 AND SUP-3980 - PUBLIC HEARING
- 120 **SDR-3979** - Applicant: Chrysalis Investments, Limited Liability Company – Owner: SCME, Limited Liability Company
- REZONING - PUBLIC HEARING
- 121 **ZON-3995** - Applicant/Owner: Twin Lakes Baptist Church
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3995 - PUBLIC HEARING
- 122 **SDR-3997** - Applicant/Owner: Twin Lakes Baptist Church
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 123 **GPA-3977** - Applicant: Dr. Jas Grover – Owners: Helen Goulette, et al
- REZONING RELATED TO GPA-3977 - PUBLIC HEARING
- 124 **ZON-3981** - Applicant: Dr. Jas Grover – Owners: Helen Goulette, et al
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3977 AND ZON-3981 - PUBLIC HEARING
- 125 **SDR-3982** - Applicant: Dr. Jas Grover – Owners: Helen Goulette, et al
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 126 **GPA-3985** - Applicant/Owner: John Lee and Ong Partners, Limited Liability Company
- REZONING RELATED TO GPA-3985 - PUBLIC HEARING
- 127 **ZON-3987** - Applicant/Owner: John Lee and Ong Partners, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3985 AND ZON-3987 - PUBLIC HEARING
- 128 **SDR-3988** - Applicant/Owner: John Lee and Ong Partners, Limited Liability Company
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 129 **GPA-4000** - Applicant/Owner: Valencia Communities, Inc.
- VARIANCE RELATED TO GPA-4000 - PUBLIC HEARING
- 130 **VAR-4005** - Applicant/Owner: Valencia Communities, Inc.

City of Las Vegas

PLANNING & DEVELOPMENT - Page Five

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City Council Meeting of May 5, 2004

131 REZONING RELATED TO GPA-4000 AND VAR-4005 - PUBLIC HEARING
 ZON-4003 - Applicant/Owner: Valencia Communities, Inc.

132 SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4000, VAR-4005 AND
 ZON-4003 - PUBLIC HEARING
 SDR-4004 - Applicant/Owner: Valencia Communities, Inc.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-4166 - APPLICANT/OWNER: CITYSTOP VI, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0032-02) FOR A MINOR AUTO REPAIR FACILITY at 3220 North Durango Drive (APN: 138-09-422-003, 004 and 005), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

THIS ITEM IS TO BE CONSIDERED ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED Items 80 [EOT-4166], Item 81 [EOT-4181], and Item 82 [EOT-4191] subject to conditions – **UNANIMOUS** with GOODMAN excused and Ward 2 seat vacant

MINUTES:

There was no discussion.

(1:31)
4-257

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on June 5, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0032-02).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - REZONING - **EOT-4181 - OWNER/APPLICANT: GOLDEN RULE, INC.** - Request for an Extension of Time on an approved Rezoning (Z-0092-01) FROM: R-E (Residence Estates) TO: R-3 (Medium Density Residential) on 2.99 acres at 832 North Eastern Avenue (APN: 139-25-301-001), Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

THIS ITEM IS TO BE CONSIDERED ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED Items 80 [EOT-4166], Item 81 [EOT-4181], and Item 82 [EOT-4191] subject to conditions – **UNANIMOUS** with GOODMAN excused and Ward 2 seat vacant

MINUTES:

There was no discussion.

1:31)

4-257

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on April 17, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (Z-0092-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - **EOT-4191** - **OWNER/APPLICANT: GOLDEN RULE, INC.** - Request for an Extension of Time on an approved Site Development Plan Review [Z-0092-01(1)] and a Reduction in the amount of Required Parking Lot Landscaping FOR A PROPOSED 3,948 SQUARE FOOT DAYCARE/PRESCHOOL FACILITY, A 14,000 SQUARE FOOT RECREATIONAL FACILITY, AND A 5,594 SQUARE FOOT CHURCH BUILDING on 2.99 acres at 832 North Eastern Avenue (APN: 139-25-301-001), R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

THIS ITEM IS TO BE CONSIDERED ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED Items 80 [EOT-4166], Item 81 [EOT-4181], and Item 82 [EOT-4191] **subject to conditions – UNANIMOUS** with GOODMAN excused and Ward 2 seat vacant

MINUTES:

There was no discussion.

1:31)
4-257

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on April 17, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0092-01(1)] as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - ROC-4170 - APPLICANT: ASTORIA HOMES - OWNER: ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY - Request for a Review of Condition Number 5 of an approved Site Development Plan Review (SDR-3482), which required that a General Plan Amendment to MLA-TC (Medium-Low Attached Residential - Town Center) be approved by City Council prior to the submittal of a Tentative Map for a 751-lot single-family residential development adjacent to the northeast corner of Farm Road and Fort Apache Road (APN: 125-17-201-001 and a portion of 125-17-201-002), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**MACK – APPROVED** subject to conditions and amending Condition 2 as follows:

2. Approval of a Site Development Plan Review for the commercial portion of the site by the Planning Commission or City Council prior to *acquisition of building permits for the commercial portion or within two years, whichever occurs first.*
- UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of Astoria Homes. He indicated that upon discussion with staff, Condition 2 would be modified, to which MARGO WHEELER, Deputy Director, Planning and Development Department, agreed.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 83 – ROC-4170

MINUTES – Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:31 – 1:33)

4-272

CONDITIONS:

Planning and Development

1. Condition Number 5 of Site Development Plan Review (SDR-3482) shall be deleted.
2. Approval of a Site Development Plan Review for the commercial portion of the site by the Planning Commission or City Council prior to recordation of a Final Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-3996** -
APPLICANT: FIRST STREET VENTURES, LIMITED LIABILITY COMPANY -
OWNER: EQUILON ENTERPRISES, LIMITED LIABILITY COMPANY - Request for a
Site Development Plan Review and Waivers for a reduction of perimeter, parking lot, and
sidewalk landscaping FOR A PROPOSED 2,762 SQUARE-FOOT GENERAL RETAIL
BUILDING AND A 408 SQUARE-FOOT DRIVE THROUGH COFFEE KIOSK on 0.49 acres
at 1509 West Charleston Boulevard (APN: 162-04-501-001 & 002) C-1 (Limited Commercial)
Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend
APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN
excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

DAVID TURNER, Baughman & Turner, 1210 Hinson Street, appeared on behalf of the
applicant and concurred with staff recommendations.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:33 – 1:34)

4-327

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 84 – SDR-3996

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 84 – SDR-3996

CONDITIONS – Continued:

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. Waivers to the landscape standards of the Code are granted.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. Submit an application for an Occupancy Permit for any landscaping or improvements in the Nevada Department of Transportation controlled portions of Charleston Boulevard and Martin L. King Boulevard public rights-of-way adjacent to this site prior to the issuance of any permits.
16. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Obtain an Encroachment Agreement for any landscaping and private improvements in the City of Las Vegas controlled public rights-of-way adjacent to this site.
18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 84 – SDR-3996

CONDITIONS – Continued:

dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

MASTER DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **MDR-3867** -
APPLICANT/OWNER: HOWARD HUGHES PROPERTIES - Request for a Master
 Development Plan Review FOR SUMMERLIN VILLAGE 24 on 502.2 acres adjacent to the
 west side of Sky Vista Drive, between Alta Drive and Charleston Boulevard (a portion of APN:
 137-22-000-010 and a portion of 164-04-000-011), P-C (Planned Community) Zone, Ward 2
 (Vacant). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**BROWN – APPROVED subject to conditions – UNANIMOUS with MAYOR GOODMAN
 excused and Ward 2 seat vacant**

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant was not present.

ROBERT GENZER, Director, Planning and Development Department, indicated for
 COUNCILMAN BROWN that he could not recall who represented the applicant at the Planning
 Commission meeting. He explained for MAYOR PRO TEM REESE that staff is not aware of
 any problems with this application. This is a standard process for all the villages within
 Summerlin and the item is in order. MR. GENZER further verified for COUNCILMAN
 BROWN that the conditions are those approved at Planning Commission.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:34 - 1:35)

4-365

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 85 – MDR-3867

CONDITIONS:

Planning and Development

1. All development shall conform to the Summerlin Development Standards.
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones excluding parks in this development.
3. For non-residential projects: Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

4. Prior to or concurrent with development of each parcel/village, appropriate right-of-way dedications, street improvements, drainage plan/study submittals, drainage improvements, sanitary sewer collection system extensions and traffic impact analyses including traffic mitigation plans along with signal participation schedules and pedestrian circulation plans may be required by the Department of Public Works. Comply with such requirements when imposed and/or when compliance is indicated.

5. Provide a minimum of two lanes of paved legal access from an existing paved public street to each individual development area prior to occupancy of any buildings within each development area.

6. A Master Sewer Plan for the overall site must be submitted to and approved by the Department of Public Works prior to the issuance of any site grading or building permits or the recordation of a Master Final Map, whichever may occur first. Additional specific village and/or site sewer plan/studies may be required with each individual pod or phase of development activity based upon sewer capacities at the time of development.

7. Provide a Conceptual Master Flood Study for Summerlin Village 24. Technical updates to the Summerlin Village 24 Flood Control Master Flood Study must be submitted to and approved by the Department of Public Works prior to the issuance of any site specific grading or building permits or the recordation of a Final Map, whichever may occur first. Additionally, specific village and/or site drainage plan/studies will be required with each individual pod or phase of development activity. If the Master Flood Study for Summerlin Village 24 does not conform to the Summerlin West Master Drainage Study, the developer will be required to update the Summerlin West Master Plan.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 85 – MDR-3867

CONDITIONS – Continued:

8. A Master Traffic Impact Analysis for this overall site (including sections addressing impacts to the proposed roadway network based on the proposed maximum densities, proposed street widths, locations of turn lanes, Las Vegas Beltway Project impacts, proposed traffic signal locations, proposed multi-use trail corridors and a master pedestrian circulation plan including pedestrian/school crosswalks) shall be submitted to and approved by the Department of Public Works prior to the recordation of any maps dedicating public street right-of-ways. The Master Developer shall be responsible for its proportionate share of all related signal systems with construction and funding details to be contained in a written agreement to be developed within the Master Traffic Impact Analysis and acceptable to the Director of Public Works prior to or concurrent with the approval of the Master Traffic Impact Analysis. The Pedestrian Circulation section shall identify the location and width of all proposed pedestrian crossing signals (if any) and how each Village's pedestrian circulation plan integrates with adjoining development areas.

9. An update to the "Village" Traffic Impact Analyses may be required to be submitted to and approved by the Department of Public Works prior to the recordation of any maps subdividing any village site. The Village Traffic Impact Analyses shall include a section specifically addressing those subdivisions with single-point entries and provide an Access Analysis for those sites. The Village analyses shall also include a section addressing Standard Drawings #201.1, #234.1 and #234.2 to determine additional right-of-way requirements adjacent to each village, if any; dedicate all areas recommended by the approved Village Traffic Impact Analyses. Phased compliance will be allowed if recommended by the approved Village Traffic Impact Analyses. No recommendation of the approved Village Traffic Impact Analyses or the Master Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

10. All landscaping within public rights-of-way or common areas shall be maintained by the Master Developer or his designee. An Encroachment Agreement shall be obtained prior to installation of any private improvements or landscaping within public rights-of-way. All installed landscaping, whether in public rights-of-way or within common area properties, shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and all adjacent, abutting street intersections.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 85 – MDR-3867

CONDITIONS – Continued:

11. Provide appropriate easements for all public facilities (sewer, drainage, sidewalk, traffic signal, streetlighting, etc) as required by the Department of Public Works.

12. The developer shall submit an application to Amend the current Master Plan of Streets and Highways, as necessary, to allow the proposed development plan submitted with this rezoning application. The application, if required, to amend the Master Plan shall be submitted following approval of the Master Traffic Impact Analysis.

13. The approval of all Public Works related improvements shown on this rezoning map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted Summerlin and/or City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. We reserve the right to impose additional conditions of approval for each individual development site when such plans are known. We anticipate the need for additional conditions concurrent with approval of the Master Tentative Map(s) and/or Village Map(s) for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MAJOR MODIFICATION - PUBLIC HEARING - **MOD-3955** - **APPLICANT: CLIFFS EDGE, LIMITED LIABILITY COMPANY** - **OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY, ET AL** - Request for a Major Modification to the Cliff's Edge Master Development Plan TO CHANGE LAND USE DESIGNATIONS FROM: VILLAGE COMMERCIAL TO: MEDIUM LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL; FROM: MEDIUM DENSITY RESIDENTIAL TO: RESIDENTIAL SMALL LOT; AND FROM: MEDIUM LOW DENSITY RESIDENTIAL TO: PUBLIC FACILITIES; TO MODIFY SECTION 6.2.3 REGARDING RETAINING WALLS; AND TO MODIFY TABLE 1 (SECTION 2.2) TO REFLECT CHANGES TO THE LAND USE CATEGORIES on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road (APN: 126-13-401-014; 126-13-701-002, 003, 004, and 008; 126-24-501-004; 126-24-601-002 and 003), PD (Planned Development) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

CALVIN CHAMPLIN, Quadrant Planning, Shadows Parkway, Suite #220, appeared on behalf of the applicant, together with ATTORNEY TABITHA FIDDYMENT, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway. MR. CHAMPLIN indicated that minor changes would be made to the plan to reflect market conditions. The new 1200-acre master planned community will be known as Providence. He concurred with all staff's recommendation.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 86 – MOD-3955

MINUTES – Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:35 – 1:38)

4-406

CONDITIONS:

Planning and Development

1. Conformance to the Cliff's Edge Master Development Plan, as appropriate, except as amended by this request.
2. Within the Cliff's Edge Master Development Plan, revise Table 1, Cliff's Edge Planned Land Use (page 9), as follows:
Reduce Medium Residential acreage from 85.5 acres to 75.5 acres, and reduce total units from 2,138 to 1,888;
Increase Residential Small Lot acreage from 125 acres to 145 acres, and increase total units from 1,875 to 2,175;
Reduce Village Commercial acreage from 30 acres to 15 acres;
Increase Public Facility acreage from 205 acres to 210 acres;
Remove 10 acres noted as "not a part";
Increase overall total units from 9,042 to 9,092 units; and
Change the overall density notation from 7.89 u.p.a. to 7.93 u.p.a..
3. Within the Cliff's Edge Master Development Plan, revise Figure 2, Planned Land Use (page 10), as follows and as illustrated on the revised copy of Figure 2 as submitted:

Change Pod 125 from VC (Village Commercial) to M (Medium Density Residential);
Change the southwest five acres of Pod 122 from VC (Village Commercial) to ML (Medium-Low Density Residential);
Change Pod 113 from M (Medium Density Residential) to RSL (Residential Small Lot);
and
Change the southwest five acres of Pod 115 from ML (Medium-Low Density Residential) to P&R (Pump and Reservoir).
4. Within the Cliff's Edge Design Guidelines, add a new fourth paragraph to the "Height and Setback" subsection of Section 6.2.3 (Retaining Walls) on page 6-4, to read as follows:

"For common areas greater than 15 feet in width, wall terracing may be allowed within the common area. For common areas 15 feet or less, terracing must occur within the builder's parcel and additional dedication to the HOA is required."

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 86 – MOD-3955

CONDITIONS – Continued:

Public Works

5. Within the Cliff's Edge Design Guidelines, add a new fourth paragraph to the "Height and Setback" subsection of Section 6.2.3 (Retaining Walls) on page 6-4, to read as follows:

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION - PUBLIC HEARING - VAC-3861 - APPLICANT: CITY OF LAS VEGAS
- Petition to Vacate a 20-foot wide public trail easement known as the "Pioneer Way Trail," generally located on the west side of Pioneer Way, from Deer Springs Way to Severance Lane; thence northerly to Farm Road; thence westerly along the north side of Farm Road to Buffalo Drive; thence northerly along the east side of Buffalo Drive to Whispering Sands Drive, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 17

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

GINA VENGLASS, Public Works Department, explained this Vacation will vacate the trail on Pioneer Way and it has already been removed from the Trail Plan.

ELIZABETH SIMMONS, 7420 Red Cinder, resides in the Preserves Development and indicated that there are different types of landscaping that affect the trail. Some are developed with a wall, other are neutral or just gravel with a sidewalk. There is a double wall between the Preserves and Salt Creek with a red cinder type 24-foot easement for drainage put in by Rhodes Homes as per City requirements. Properties slope towards the drainage and the property is unusable. The residents were told that the easement will be kept as a water drainage. Most of the water in

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 87 – VAC-3861

MINUTES – Continued:

that area runs east to west. However, that would make that area unusable. MS. SIMMONS expressed concern that the wall will be used as a palette for graffiti. She feels the trail within the Preserves needs to be treated differently because of the double-wall. The least the City could do is install gates on either end to prohibit vehicles accessing the trail. She opined that the particular stretch between Farm Road and Severance is different.

COUNCILMAN MACK appreciated the residents' concerns, but pointed out that once this is granted back to the Homeowners Association, the City does not have any right to install a gate. He asked MS. VENGLASS what bearing the flood easement has on this reverting back to the homeowners. MS. VENGLASS replied that this needs to be retained as a drainage easement; however, because it is going to be a public drainage, the City has installed gates where there are two back-to-back walls creating an alley situation. She clarified that the gate is the type that can allow water flow to get through.

MS. SIMMONS pointed out that the HOA informed the homeowners that they will not accept liability or responsibility for the maintenance nor do they deem it their responsibility to install the gate. The City needs to assist the residents on this portion. MS. VENGLASS added that typically it is the homeowners association's responsibility to install such gates. COUNCILMAN MACK indicated that the City would closely follow this issue and bring back this portion if needed. This portion of the trail was not approved as part of the joint park plan with Clark County. Therefore, this application was made by the City in return to give this land back to the individual homeowners and the association.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:38 – 1:44)

4-478

CONDITIONS:

Planning and Development

1. Retain a public drainage easement to be privately maintained by the Homeowner's Association across the full width of the area to be vacated extending from Severance Lane northward to Farm Road.
2. Maintenance of all private improvements, including driveways, located within the area proposed to be vacated and extending into the public right-of-way, shall be maintained by each adjacent property owner or by a Homeowner's Association (if applicable).
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 87 – VAC-3861

CONDITIONS – Continued:

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION - PUBLIC HEARING - VAC-3926 - APPLICANT: HENRY BRENT COMPANY - OWNER: STEADFAST AMX I, LIMITED LIABILITY COMPANY AND STEADFAST AMX II, LIMITED LIABILITY COMPANY, ET AL - Petition to Vacate Third Street between Ogden Avenue and Stewart Avenue, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because his brother-in-law, ANDREW DONNER, has a contract with Lady Luck related to their non-restricted gaming license, GOODMAN excused and Ward 2 seat vacant

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 88 – VAC-3926

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ROBERT O'NEIL, 450 East Fremont Street, appeared on behalf of HENRY BRENT and concurred with staff recommendations.

COUNCILMAN WEEKLY asked MR. O'NEIL if he has had any conversations with BETSY FRETWELL, Deputy City Manager, regarding the Post Office. MR. O'NEIL replied that he did in his capacity as a citizen in regards to what the Post Office could be or could not be. Pertaining to the Vacation, MR. O'NEIL clarified for COUNCILMAN WEEKLY that they discussed the submittal of the plan with all the landowners on Third Street, who support the plan. Everybody sees the vision for Third Street as being retail-casino area.

COUNCILMAN WEEKLY commended the applicant on its vision and that the project will be an enhancement for the downtown area. He asked that the applicant ensure that the small property owners' interests are being considered.

MAYOR PRO TEM REESE indicated that this street was also vacated in 2000 for similar reasons.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:44 – 1:48)

4-688

CONDITIONS:

Planning and Development

1. Submittal of a Site Development Plan Review on this property for review by the Planning Commission and City Council at a public hearing prior to the recordation of an Order of Vacation as required by the Department of Planning and Development.
2. Retain a 20-foot public sewer easement centered over the existing sewer line as required by the Department of Public Works. This condition shall not be enforced if an alternative sewer access or relocation plan is submitted to and approved by the City Engineer.
3. Provide to the City written acknowledgment and approval of the proposed Vacation and Parkway Plan from all abutting property owners prior to the recordation of an Order of Vacation as required by the Department of Public Works. All property owners must agree to grant reciprocal access rights across all vacated right-of-way.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 88 –VAC-3926

CONDITIONS – Continued:

4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-3932 - APPLICANT: PACIFIC COAST DEVELOPMENT - OWNER: DARK, LIMITED LIABILITY COMPANY - Petition to Vacate portions of Rebecca Road between Ann Road and El Campo Grande Avenue, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant was not present.

No one appeared in opposition.

There was no discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:48 – 1:49)

4-813

CONDITIONS:

Planning and Development

1. An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation VS-290-04, must record concurrently with this Order of Vacation.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 89 – VAC-3932

CONDITIONS – Continued:

2. This Petition of Vacation shall be modified to retain a 20-foot wide City of Las Vegas Sewer easement within Rebecca Road, in an alignment and to a location acceptable to the City Engineer prior to recordation of the Order of Vacation. Alternatively, provide an abandonment and relocation plan with appropriate easements acceptable to the Department of Public Works prior to the recordation of this Petition of Vacation.
3. Prior to the recordation of the Order of Vacation, the applicant shall reimburse the City of Las Vegas \$1,325.00 or fair market value, whichever is higher, for the radius corner at the northwest corner of Rebecca Road and Ann Road.
4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required for the “Ponderosa Estates” Tentative Map may be used to satisfy this condition.
5. Development of these sites shall comply with all applicable conditions of approval of Rezoning application ZON-3080, Site Development Plan Review SDR-3082, “Ponderosa Estates” Tentative Map and all other applicable site related actions.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City departments.
9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 89 – VAC-3932

CONDITIONS – Continued:

because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

10. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - **VAR-3880** -
APPLICANT/OWNER: ASIE JAH - Request for a Variance TO ALLOW FIVE PARKING SPACES WHERE SIX ARE REQUIRED FOR A PROPOSED OFFICE on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 90 [VAR-3880] and Item 91 [SDR-3710].

EDGAR MONTALBO appeared on behalf of the applicant and concurred with staff recommendations.

TODD FARLOW, 240 North 19th Street, stated that he does not believe the office will be used as a law office. MAYOR PRO TEM REESE indicated he visited the property and that Planning staff indicated the proposed project will fit on this property. The property fronts on Sahara Avenue. He did admit he had concerns about this property, but with the plans and conditions in place, he feels the applicant should be given an opportunity to develop this property.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 90 – VAR-3880

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 90 [VAR-3880] and Item 91 [SDR-3710].

(1:49 – 1:51)

4-845

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3710).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3880 - PUBLIC HEARING - **SDR-3710 - APPLICANT/OWNER: ASIE JAH** - Request for a Site Development Review FOR A PROPOSED LAW OFFICE AND FOR A WAIVER OF THE PERIMETER PARKING LOT LANDSCAPING REQUIREMENTS on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 90 [VSR-3880] for all related discussion.

(1:49 – 1:51)

4-845

CONDITIONS:

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 91 –SDR-3710

CONDITIONS – Continued:

3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
6. A landscaping plan that shows the street buffer along Sahara Avenue to match the neighboring desert landscaping must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. The applicant shall meet with Planning and Development staff to develop an addressing plan prior to issue of permits.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 91 –SDR-3710

CONDITIONS – Continued:

Public Works

13. Meet with the Flood Control Section of the Department of Public Works for assistance with the existing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any permits, whichever may occur first. Provide and improve all drainageways as recommended.
14. Site development to comply with all applicable conditions of approval for Z-76-99 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - **VAR-4001** - **APPLICANT/OWNER: JOSEPH & LONNIE NOBLE** - Request for a VARIANCE TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) DISTRICT ON 2.19 ACRES WHERE A MINIMUM OF FIVE ACRES IS REQUIRED adjacent to the south side of Lone Mountain Road, approximately 1020 feet east of Torrey Pines Drive (APN: 138-02-501-008), R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development – 2 Units per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 44

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 92 [VAR-4001], Item 93 [ZON-3998], Item 94 [WVR-4002] and Item 95 [SDR-3999].

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and indicated the 2.2-acre site is located south of Lone Mountain Road, between Jones Boulevard and Torrey Pines Drive. This infill piece has existing R-1 subdivisions located to the east and Eagle Crest located to the south. MR. PSIODA explained that the Variance was needed to allow an R-PD development that is less than five acres. The waiver is to allow the private driveway that will access four lots. The Planning Commission directed the applicant to meet

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 92 – VAR-4001

MINUTES – Continued:

with staff to address some conditions and to meet with the adjacent neighbors. MR. PSIODA met with a representative for the neighborhood to the east and modifications have been made to the conditions. He met with Planning staff to review the landscaping. He read into the record amendments to Conditions 5, 6, 7, and 8 for Item 95 [SDR-3999], which have been reflected in the motion.

MARGO WHEELER, Deputy Director, Planning and Development Department, agreed with all the amendments requested by MR. PSIODA and recommended an additional condition to address the eight foot wall on the east side of the property. If it is a shared wall, then the adjacent side shall be finished to match existing surface. The language will ensure the compatibility of the wall. If engineering requires that there be modifications, the applicant would have to negotiate with the property owners of the adjacent site. She further added that discussions were held with the adjacent property owners regarding these conditions. MR. PSIODA indicated that the neighbors do not want any improvements to their walls. Therefore, the applicant is comfortable building his own wall and there will be no shared combined wall. MS. WHEELER rebutted that the language is “if” the engineer studies have not been done. It is not a requirement, only if the studies prove to have that requirement.

LARRY ALLEN, 6225 Minerva Drive, stated the neighborhood supports the proposed project because it will be an asset and an enhancement for the neighborhood. The residents asked that the applicant consider a one-story home instead of a two-story in order to keep the aesthetic integrity of the neighborhood. MR. PSIODA replied that there would be only four custom-home lots approximately 18,000 to 20,000 square feet. At this time limiting the size of the homes would be a burden.

COUNCILMAN BROWN clarified with MR. PSIODA that another option would be to build a second wall. MR. PSIODA added that the neighbors wanted to work with the applicant to enhance the wall that they had. They were made aware that because of engineering concerns, the footing was not big enough to handle the additional load. Additionally, they did not want to tear down and rebuild the wall. COUNCILMAN BROWN asked that the condition reflect that any gaps between walls, be the applicant’s responsibility to cap it for safety reasons. MR. PSIODA agreed.

COUNCILMAN MACK noted that this is a wonderful infill parcel and thanked MR. ALLEN for his support. There is R-E to the south and R-1 to the north, which allows 4.5 acres to the unit. It is a nice transition and it would be a burden for the applicant to restrict the homes to one story. He is certain that the developer will build the homes in a way acceptable to the adjacent neighbors.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 92 – VAR-4001

MINUTES – Continued:

COUNCILMAN MACK pointed out that due to the private drive fire sprinklers are required. MR. PSIODA replied that MR. NOBLE has met with the Fire Department and is willing to abide by all fire codes.

MS. WHEELER reiterated that the conditions as read by MR. PSIODA are appropriate, and that the only added condition would be regarding the wall. She verified with COUNCILMAN MACK that the condition should reflect the additional language recommended by COUNCILMAN BROWN that if there are double walls then the capping back fill shall be the developer's responsibility. MR. PSIODA concurred with the additional language.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 92 [VAR-4001], Item 93 [ZON-3998], Item 94 [WVR-4002] and Item 95 [SDR-3999].

(1:51 – 2:04)

4-939

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3998), Title 18 Waiver (WVR-4002) and Site Development Plan Review [SDR-3999].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO VAR-4001 - **PUBLIC HEARING** - **ZON-3998** -
APPLICANT/OWNER: JOSEPH & LONNIE NOBLE - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 2.19 acres adjacent to the south side of Lone Mountain Road, approximately 1,020 feet east of Torrey Pines Drive (APN: 138-02-501-008), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 45

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 92 [VAR-4001] for all related discussion.

(1:51 – 2:04)

4-939

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Site Development Plan Review (SDR-3999), Variance (VAR-4001) and Title 18 Waiver (WVR-4002) applications approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 93 – ZON-3998

CONDITIONS – Continued:

Public Works

3. Dedicate appropriate right-of-way for the remaining portion of the Kraft Avenue/Windy Hollow Street knuckle prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on Kraft Avenue, Windy Hollow Street and Lone Mountain Road adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

WAIVER RELATED TO VAR-4001 AND ZON-3998 - PUBLIC HEARING - **WVR-4002** - **APPLICANT/OWNER: JOSEPH & LONNIE NOBLE** - Request for TITLE 18 WAIVERS TO ALLOW A 625-FOOT LONG PRIVATE DRIVE WHERE 200 FEET IS THE MAXIMUM ALLOWED, AND TO ALLOW A MODIFIED TURN-AROUND WHERE A CIRCULAR TURN-AROUND OR EMERGENCY ACCESS GATE IS REQUIRED adjacent to the south side of Lone Mountain Road, approximately 1,020 feet east of Torrey Pines Drive (APN: 138-02-501-008), R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development – 2 Units per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 46

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 92 [VAR-4001] for all related discussion.

(1:51 – 2:04)

4-939

CONDITIONS:

Planning and Development

1. All development shall conform to Conditions of Approval for Variance (VAR-4001), Rezoning (ZON-3998) and Site Development Plan Review (SDR-3999).

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 94 – WVR-4002

CONDITIONS – Continued:

2. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

3. Buildings must be constructed with fire sprinkler systems acceptable to the Department of Fire Services.
4. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3998, Site Development Plan Review SDR-3999 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4001, ZON-3998 AND WVR-4002 - PUBLIC HEARING - **SDR-3999 - APPLICANT/OWNER: JOSEPH & LONNIE NOBLE** - Request for a Site Development Plan Review and a Waiver of perimeter landscaping standards FOR A FOUR-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.19 acres adjacent to the south side of Lone Mountain Road, approximately 1,020 feet east of Torrey Pines Drive (APN: 138-02-501-008), R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development - 2 Units per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 47

MOTION:

MACK – APPROVED subject to conditions and amending the following conditions as follows:

5. The setbacks for this development shall be a minimum of 14 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 25 in the rear. *Additionally, patio covers may encroach 15 feet into the back, but no closer than 5 feet to the side or 10 feet to the rear property line, and are limited to a maximum height of 12 feet.*
6. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a tentative map, to reflect perimeter landscaping and buffering.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 95 – SDR-3999

MOTION – Continued:

7. The landscape plan (or revised site plan showing *perimeter* buffering and landscaping) shall be submitted to and approved by Planning and Development Department staff prior to the time application is made for a building permit. *The north landscape buffer shall consist of a perimeter block wall offset 6 feet from Lone Mountain right-of-way and contain landscaping rock material. The south perimeter shall provide a six-foot landscaping easement along the frontage of the knuckle terminating at the common element, which is the private drive. Should a block wall be constructed at the southern location adjacent to the knuckle, it shall be set back six feet from the knuckle and a planted area be landscaped to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.*
8. A landscaping plan of the *perimeter landscape buffer* must be submitted prior to or at the same time application is made for a building permit. *Additionally, the Homeowners' Association shall require that the individual lot owner's rear yard landscaping be installed within one year of home occupancy.*

And the added condition:

- *There shall be an eight-foot wall on the east side of the property. If this is a shared wall, then the adjacent side shall be finished to match existing surface. If there are double walls, any capping backfill shall be the developer's responsibility.*

– UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 92 [VAR-4001] for all related discussion.

(1:51 – 2:04)

4-939

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-3998] to an R-PD2 (Residential Planned Development - 2 Units per Acre) Zoning District, a Waiver (WVR-4002) to certain Title 18 standards and a Variance (VAR-4001) to minimum R-PD site area, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 95 – SDR-3999

CONDITIONS – Continued:

4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 14 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect perimeter buffering and landscaping that meets Code requirements.
7. The landscape plan (or a revised site plan showing buffering and landscaping) shall submitted to and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, on the external north and south perimeters of the site.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 95 – SDR-3999

CONDITIONS – Continued:

14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. All development shall be in conformance with the site plan and building elevations, date stamped 04/05/04, except as amended by conditions herein.

Public Works

16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3998 and all other subsequent site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - **VAR-3288** - **APPLICANT: PAUL AND SANDY BROSSEAU** - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN: 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions and adding a condition that the second floor windows shall be opaque type windows – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

PAUL BROSSEAU, 304 Canyon Drive, stated that the Variance request is for a 5-foot setback. In response to staff's inquiry as to why the setback is needed when the property is large enough to accommodate the addition, MR. BROSSEAU pointed out that there is a tennis court on the property. He will be adding and remodeling the master suite on the north side of the house. The existing home is 40 years old and he is trying to improve the neighborhood. He indicated that the project will not invade anyone's privacy. The neighbors he spoke with are pleased about the proposed project. He tried to resolve some of the issues, especially the request that he sign a restricted covenant agreement, which would put a permanent deed restriction on his property.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 96 – VAR-3288

MINUTES – Continued:

He will be investing approximately one quarter million dollars into the property. He showed a photograph of his home and indicated that the existing building, as built in 1967, is only six-feet from the property line. There is a four-foot overhang, which is two feet from the property line.

JOHN BOYER, 300 Canyon Drive, resides north of MR. BROUSSEAU'S property and indicated that the applicant was willing to sign a restricted covenant agreement. Based on that representation, the Planning Commission approved the Variance. Prior to that representation, there were many negative comments about this property, including that the applicant did not demonstrate a necessity for this addition. He disagreed with MR. BROUSSEAU'S comments about the property's minimal impact. MR. BOYER showed a photograph taken from his backyard towards MR. BROUSSEAU'S property depicting a large oleander where that structure would be built. There will be no landscaping and he would be looking at a large stucco wall that will impair his privacy. The applicant does not have a hardship and his yard is large enough to place the structure differently.

COUNCILWOMAN MONCRIEF imposed a condition that opaque or block-type windows will be installed on the second floor if the applicant builds a two-story home. MR. BROUSSEAU replied that that is indicated on the plans. COUNCILWOMAN MONCRIEF pointed out that it is six feet from the property line on the front of the house. She observed that the property to the right has a carport that is exactly on the property line and extends over into the applicant's property. It seems that everyone is utilizing everyone else's front yard. She was pleased that the applicant will be improving his house.

MARGO WHEELER, Deputy Director, Planning and Development Department, verified with COUNCILWOMAN MONCRIEF that there should be an added condition that the second floor window shall be opaque.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:04 – 2:12)

4-1402

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the site plan as submitted.
3. All necessary permits shall be obtained from the Building and Safety Department prior to start of construction.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4232 - APPLICANT: TANEY ENGINEERING - OWNER: CITATION HOMES - Request for a Variance TO ALLOW A 50 FOOT SETBACK FOR A PROPOSED MULTI-FAMILY BUILDING FROM A SINGLE FAMILY RESIDENTIAL PROPERTY WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE AN 82 FOOT SETBACK AND FOR A WAIVER TO ALLOW THE VARIANCE TO GO DIRECTLY TO CITY COUNCIL WITHOUT ACTION BY THE PLANNING COMMISSION on 1.04 acres adjacent to the south side of Van Buren Avenue approximately 350 feet East of Lamb Boulevard (APN: 140-29-101-009), R-2 (Medium-Low Density Residential) Zone under Resolution of Intent to R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 97 [VAR-4232] and Item 98 [SDR-4139].

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, concurred with the conditions for the Variance, but asked clarification on Conditions 9 and 11 of the Site Development Plan. He asked that Condition 9 requesting half-street improvements be concurrent instead of prior to the issuance of any permits for this site. He also indicated that after meeting with Public Works staff they agreed to delete Condition 11, as it is no longer needed based on the present layout of the plan. GINA VENGLAS, Public Works Department verified MR. CUNNINGHAM'S comments.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 97 – VAR-4232

MINUTES – Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 97 [VAR-4232] and Item 98 [SDR-4139].

NOTE: All discussion for Item 97 [VAR-4232] and Item 98 [SDR-4139] was held under Item 97 [VAR-4232].

(2:12 – 2:14)

4-1686

CONDITIONS:

Planning and Development

1. This variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted.
2. Building heights may not exceed 25 feet.
3. Conformance to all conditions of approval for SDR-4139.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4232 - PUBLIC HEARING - **SDR-4139 - APPLICANT: TANEY ENGINEERING - OWNER: CITATION HOMES** - Request for a Site Development Plan Review FOR A 12-UNIT MULTI-FAMILY DEVELOPMENT on 1.04 acres adjacent to the south side of Van Buren Avenue approximately 350 feet East of Lamb Boulevard (APN: 140-29-101-009), R-2 (Medium-Low Density Residential) Zone under Resolution of Intent to R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions, deleting Condition 11 and amending Condition 9 as follows:

9. Construct half-street improvements on Van Buren Avenue adjacent to this site *concurrent with development of this site*. All existing paving damaged or removed by this development shall be restored at its original location and to its original width.
- UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 97 [VAR-4232] for all related discussion.

(2:12 – 2:14)

4-1686

CONDITIONS:

Planning and Development

1. Approval of a Variance request for relief from the Residential Adjacency Standards of the Code (VAR-4232) by the City Council.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 98 – SDR-4139

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. No waivers to other Code requirements are permitted.
4. A landscaping plan depicting conformance to all relevant Code standards pertaining to landscaping and wall standards shall be submitted prior to or concurrent with application for building permit.
5. All mechanical equipment, air conditioners and trash areas shall be fully screened from the view of abutting streets. No rooftop air conditioning units are permitted.
6. A fully operational fire protection system, including fire apparatus roads, hydrants and water supply shall be installed an function prior to construction of any combustible structures.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

8. The submitted Parcel Map PMP-3362 should record prior to the issuance of any permits for this site.
9. Construct half-street improvements on Van Buren Avenue adjacent to this site prior to the issuance of any permits for this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width.
10. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundary of this site prior to construction of hard surfacing (asphalt or concrete).
11. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
12. Extend public sanitary sewer to the west edge of this site along an alignment and to a depth and location acceptable to the City Engineer. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 98 – SDR-4139

CONDITIONS – Continued:

13. Meet with the Flood Control Section of the Department of Public Works to discuss drainage related issues for this site prior to the issuance of any building or grading permits, whichever may occur first.
14. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
15. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED ONE-YEAR REVIEW - PUBLIC HEARING - SPECIAL USE PERMIT -
RQR-4177 - APPLICANT: JACKPOT BAIL BONDS - OWNER: KRISHNA, INC. -
Request for a Required One-Year Review on an approved Special Use Permit (SUP-1841) FOR
A PROPOSED BAILBOND SERVICE at 124 South Sixth Street, Suite 150 (APN: 139-34-611-
051), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**WEEKLY – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused
and Ward 2 seat vacant**

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

JASON YOUNG, 124 South 6th Street, asked that the City Council approve his request with a
five-year review.

MARGO WHEELER, Deputy Director, Planning and Development Department, confirmed that
this item would be reviewed in one year.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:14 – 2:15)

4-1778

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 99 – RQR-4177

CONDITIONS:

Planning and Development

1. An additional review to be required within one year.
2. All City Code requirements of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-3152** - **REAGAN NATIONAL ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED TRUST** - Appeal filed the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5300 West Sahara Avenue (APN: 163-01-804-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Singer & Brown
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 100 [SUP-3152]

MINUTES – Continued:

that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

(1:22 – 1:28)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3947 - **APPLICANT: JASON AGUIRRE - OWNER: THL, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit and Waivers from the 400-foot distance separation requirement from an existing City Park and the 1,000-foot distance separation requirement from an existing massage establishment FOR A PROPOSED MASSAGE ESTABLISHMENT at 2701 Tenaya Way, Suite #100 (APN: 138-15-710-009), C-PB (Planned Business Park) Zone, Ward 4 (Brown). **(NOTE: Item be heard in conjunction with Morning Session Item #59).** The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152],

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 101 – SUP-3947

MOTION – Continued:

Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant, JASON AGUIRRE, 433 Emerald Heights Street, was present.

TODD FARLOW, 240 North 19th Street, and KATHY BEST, 7548 Holloran Court, asked if the facility would be a medical professional massage business.

JUANITA CLARK, Charleston Neighborhood Preservation, objected to the request. Standards have been established and should be maintained.

MR. AGUIRRE explained for COUNCILMAN MACK that he would be providing deep tissue, range of motion, stretching, and sport-type massages.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: All discussion for Item 101 [SUP-3947] and Item 59 [Jason Samuel Aguirre, dba Myo Works] was held under Item 101 [SUP-3947]

(2:15 – 2:18)

4-1824

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Massage Establishment use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3961 - APPLICANT: NAMEER KALANDOS - OWNER: MEHRAN DAVID KOHANBASH - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE at 5000 West Charleston Boulevard, Suite 7 (APN: 138-36-804-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter by Lila Franks

MOTION:

MONCRIEF – APPROVED subject to conditions, deleting Condition 6 and adding a six-month review – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

DAVID EDDER, Nevada Gaming Application Consultants, 777 East Courts Avenue, appeared together with the applicant, NAMEER KALANDOS. MR. EDDER concurred with all conditions with the exception of Condition 6, which he asked be modified to allow the applicant to sell items that are 16 ounces and above. The applicant is an experienced operator and has been operating a convenience store for many years. There have never been problems with loitering at his location, other than break-ins. MR. EDDER stated he is aware that the condition was imposed to protect the public, but he does not believe the sale of single items would cause problems in this area nor does he believe that MR. KALANDOS would allow it to happen.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 102 – SUP-3961

MINUTES – Continued:

COUNCILWOMAN MONCRIEF asked ROBERT GENZER, Director, Planning and Development Department, to explain the condition on single sales and when it went effect. MR. GENZER replied that the condition is something that is not uniformly applied. It depends on the location within each individual Ward. In this particular area there is another convenience store in close proximity, but he is not aware if that convenience store has the same condition, since it has been there for quite some time.

MARGO WHEELER, Deputy Director, Planning and Development Department, indicated that staff believes it does not have that particular condition. Therefore, in this particular case, if the Council would like to remove it, she suggested a one-year review to see if any issues arise. MR. EDDER concurred with the added condition.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:18 – 2:21)

4-1957

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3969 - APPLICANT: ADVANCE AMERICA, CASH ADVANCE CENTERS OF NEVADA, INC. - OWNER: ROGER ANDERSON - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED at 5950 West Charleston Boulevard, Suite 110 (APN: 138-36-406-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused, Ward 2 seat vacant and MACK abstaining because he is a consultant for SuperPawn Stores, owned by his brother, STEVEN MACK, which offer the same type of services

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 103 – SUP-3969

MOTION – Continued:

would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

MAYOR PRO TEM declared the Public Hearing open.

ATTORNEY JEFF SILVESTRI, McDonald Law Firm, 2300 West Sahara Avenue, Suite 1000, appeared on behalf of the applicant together with MIKE BURNS, Advanced America. ATTORNEY SILVESTRI asked that the Council approve the use permit and concurred with all conditions.

COUNCILWOMAN MONCRIEF noted to the fact that the 1000 feet requirement bill was adopted after the applicant applied for the Special Use Permit, the fact that there were no protests, and that staff recommendation of approval. Therefore, she moved to approve the item.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:21 – 2:23)

4-2077

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Financial Institution, Specified use.
2. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0006-66(42)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 103 – SUP-3969

CONDITIONS – Continued:

Public Works

5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
6. Site development to comply with all applicable conditions of approval for Z-6-66(42), the Charleston Market Place Commercial Subdivision, and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3972 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: RITA QUAM FAMILY TRUST - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6750 West Sahara Avenue (APN: 163-02-415-012), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

01

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal Letter filed by Singer & Brown
5. Submitted after final agenda – Abeyance request by Singer & Brown
6. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDUCE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 104 – SUP-3972

MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3973 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: J.G. SAHARA, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1000 East Sahara Avenue (APN: 162-03-801-116), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-1 vote) recommends DENIAL. Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal Letter filed by Singer & Brown
5. Submitted after final agenda – Protest letter from Joseph B. Abdenour on behalf of Rita Hornwood
6. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused, MACK not voting and Ward 2 seat vacant

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969],

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 105 – SUP-3973

MOTION – Continued:

Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ANDREW BILANZICH, 1464 East Michigan Avenue, concurred with staff's recommendations and conditions.

TODD FARLOW, 240 North 19th Street, opposed the application. MAYOR PRO TEM REESE commented that he is not quite in favor of it, but it meets all the standards and requirements for approval.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:23 – 2:24)

4-2160

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 105 – SUP-3973

MINUTES – Continued:

4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.]
6. Only one advertising sign is permitted per sign face.
7. If the existing Off-Premise Advertising (Billboard) Sign is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

9. The proposed sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3983 - APPLICANT: SCOTT STROMWALL - OWNER: RAY ST. CLAIR - Request for a Special Use Permit FOR PROPOSED MOTOR VEHICLE SALES (USED) ON A PARCEL LESS THAN 25,000 SQUARE FEET IN AREA IN CONJUNCTION WITH AN EXISTING MINOR AUTO REPAIR GARAGE at 210 West Wyoming Avenue (APN: 162-04-608-015), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions and deleting Condition 4 – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

SCOTT STROMWALL, 1475 South 7th Street, asked the City Council to approve the item.

TOOD FARLOW, 240 North 19th Street, stated that at the Planning Commission the applicant indicated that he only wants the use for a year until he and his partner could obtain funding. He asked that a one-year limit be imposed.

COUNCILWOMAN MONCRIEF requested that no extensions of time be granted and that this is only a one-year Special Use Permit. MR. STROMWALL verified with COUNCILWOMAN MONCRIEF that he would have to come back in one year. MARGO WHEELER, Deputy Director, Planning and Development Department, clarified that the Special Use Permit will expire in one year from the date of approval by the City Council.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 106 – SUP-3983

MINUTES – Continued:

That means that to continue past that date would require an application for and approval of a new special use permit, not an extension of time. MR. STROMWALL agreed with MS. WHEELER'S statements. COUNCILWOMAN MONCRIEF moved to approve the item with the deletion of Condition 4 to reflect the removal of the extension of time.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:24 – 2:27)

4-2221

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Motor Vehicle Sales (Used) use.
2. This Special Use Permit shall expire one year from the date of approval by the City Council.
3. No more than eight vehicles may be displayed for sale on the property at any one time.
4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining items or devices shall be displayed upon the subject property or on any vehicle displayed for sale in the parking lot of the subject property.
6. The used car dealership shall not operate on Sundays.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Dedicate a 20-foot radius on the northwest corner of Wyoming Avenue and Fairfield Avenue prior to the issuance of any permits.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 106 – SUP-3983

CONDITIONS – Continued:

9. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
10. The entry gates shall be set back a minimum of 18 feet from the back of sidewalk to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. If the entry gates are to remain open during business hours or are electrically automated the gates may be placed on the private property within five feet of where the sidewalk is located. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3984 - APPLICANT: ISLAND RESTAURANT - OWNER: HOWARD HUGHES CANYON POINTE Q4 - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB located adjacent to the northwest corner of Charleston Boulevard and Pavilion Center Drive (APN: 137-36-414-004), P-C (Planned Community) Zone, Ward 2 (Vacant). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

LOUIS JACKSON, 5750 Fleet Street, Carlsbad, California, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:27 – 2:28)

4-2328

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 107 – SUP-3984

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to the Conditions of Approval for Rezoning (Z-0135-93) and Summerlin Development Plan Review (SV-0001-02).
4. The site plan shall be revised, prior to the issuance of any permits, to show that the six handicap spaces adjacent to the proposed building on the site plan now meet Code requirements for adequate apron areas on either side of the handicap spaces, and to show that the trash enclosure area is roofed in accordance with Code requirements.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Public Works

8. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
9. Site development to comply with all applicable conditions of approval for The Arbors at Summerlin Village 11/12 Unit 2C Lot 7 Commercial Subdivision and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3986 - APPLICANT: MUSTAFA KAVRUKLAR - OWNER: RITA QUAM FAMILY TRUST - Request for a Special Use Permit and a Waiver from the 400-foot distance separation requirement from an existing church FOR A SUPPER CLUB located at 6750 West Sahara Avenue (APN: 163-02-415-012), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 15

MOTION:

MONCRIEF – ABEYANCE to 5/19/2004 – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

MUSTAFA KAVRUKLAR requested an abeyance to the next City Council meeting due to disagreements he is having with the property owner.

DEPUTY CITY ATTORNEY BRYAN SCOTT indicated that the property owner was present. RITA QUAM, 8626 Robinson Ridge, asked that the use be approved.

MAYOR PRO TEM REESE discussed with MS. QUAM that the applicant was requesting an abeyance, to which MS. QUAM replied that the applicant did not have a lease.

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Planning and Development Department
Item 108 – SUP-3986

MINUTES – Continued:

MR. KAVRUKLAR stated MS. QUAM’S intent is to lease the property to another national franchise company. He has been working on this application for the past four months and invested money for this agreement. Additionally, MS. QUAM notarized all the proper documents relating to the Special Use Permit.

COUNCILWOMAN MONCRIEF requested that the item be held in abeyance and asked that both the applicant and the property owner meet with her.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:28 – 2:32)

4-2385

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0045-88).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. A Waiver to the 400-foot separation distance from a church is approved.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-2457 - DONNA F. BEAM REVOCABLE TRUST** - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN: 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after meeting – List of excluded uses

MOTION:

BROWN – APPROVED subject to conditions and the following added conditions:

- *On the south parcel the business hours of operation shall be limited 7:00 a.m. to 10:00 p.m.*
- *No alcohol sales of any kind shall be allowed on the south parcel.*
- *The list of specific uses not allowed on the southern and northern sites as presented by the applicant shall be included as part of the record and conditions. The list shall be recorded on the parcel with the Clark County Records Office.*

– UNANIMOUS with GOODMAN excused, MACK not voting and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 109 [ZON-2457], Item 110 [SUP-3896] and Item 111 [SDR-2458].

ATTORNEY CHRIS KAEMPFER, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. The zone change conforms with the general plan, as well as the site plan. Numerous meetings were held with the adjacent

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 109 – ZON-2457

MINUTES – Continued:

neighborhood and homeowners associations. As directed by COUNCILMAN BROWN, ATTORNEY KAEMPFER indicated that every resident concern has been addressed and, as a result, the applicant has agreed that all buildings on both the north and south sides of Smoke Ranch Road shall be single story. Low level, low intensity box lighting will be provided in the parking lot on the south side of Smoke Ranch Road. The hours of operations on the south side shall be limited, and he suggested that they be lighted until 11:00 p.m. No neon signs shall be allowed on the outside of either building, back-lit lighting permitted only, and any interior neon lighting on the inside of the buildings must be turned off when the business closes. This refers to the south side of the building adjacent to the neighbors. The existing east wall on the south side parcel shall be repaired or replaced as needed and any new wall must be tiered if it has to be higher than 12 feet to minimize any impact on the adjacent neighbors.

With regard to the north side parcel, no walls exceeding two feet in height shall be permitted on either the east or the north sides of the property. In addition to the conditions, the applicant agreed to a list of excluded uses has been provided to staff and COUNCILMAN BROWN. These excluded uses relate to the south side and the north side. All these uses will be conditions of any zoning approval. Further, upon COUNCILMAN BROWN'S insistence, no liquor sales shall be allowed on the south side of the property. The owner and applicant agreed to that condition, but would like the opportunity to come back, if an opportunity should arise.

ATTORNEY KAEMPFER showed renderings of the north and south buildings. The business proposed on the north side of the property is a first-class 24-hour steakhouse. Approximately 35% of the building area is kitchen area. The applicant agreed that if any significant changes are made to the floor plan, it would have to come back for review by the City Council. All of the excluded uses on both the north and south side can be provided because this property is planned for retail/commercial uses. While certain restrictions can be imposed, only certain uses can be allowed when property is planned in a certain way. This affords the neighbors to the south an opportunity to receive a development that benefits them with conditions that protect them and their property.

DR. LEE BERNSTEIN, 7921 Rockbridge Circle, resides in Desert Shores and is a member of the Board of Directors of Desert Shores. He disagreed with ATTORNEY KAEMPFER and stated that most of the residents oppose the project. At a neighborhood meeting, only one person approved of the project. DR. BERNSTEIN stated that the 24-hour bar will impact the adjacent residential neighborhood and, further there is no need for another bar. He asked that the City Council deny the request.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 109 – ZON-2457

MINUTES – Continued:

KATHY BEST stated that the entire neighborhood is zoned Commercial/Professional, including medical offices, and should remain as such. She expressed concern about the 24-hour bar serving alcohol creating a “party zone” and not being appropriate for the nearby high school. She does not support granting waivers. The project would be located at the entrance to Desert Shores, and the residents do not support this type of project. However, if this project is approved, she asked that the City Council consider limiting the hours of operation. Again, she stated that the waivers should be looked at and not easily granted.

JUNE INGRAM, Charleston Neighborhood Preservation, concurred with the prior speaker. A school, church and a park are in the vicinity of the proposed project.

JUANITA CLARK, Charleston Neighborhood Preservation, stated the applicant should abide by standards that were imposed. She agreed with the previous speaker that the 24-hour operation is not appropriate for the nearby school, church and park. She asked whether the noise emanating from the bar and its affect upon the adjacent residential neighborhood have been addressed. She asked that waivers not be granted. MAYOR PRO TEM REESE indicated that the City of Las Vegas has a noise ordinance in place.

COUNCILMAN MACK asked if the Charleston Neighborhood Preservation is within the notification area. MS. CLARK replied that a waiver granted within the City of Las Vegas affects any neighborhood in the City because it would set a precedent. COUNCILMAN MACK pointed out that a tavern located in the middle of a residential Desert Shores community has been well received in the area.

ATTORNEY KAEMPFER rebutted that the proposed project is within 1500 feet of a church, school and park without any impact. The church is a block away across Smoke Ranch Road. Cimarron Memorial High School’s entrance extends on Tenaya Way, half a-mile away. However, the school grounds go back to the west, but there is no entrance off of Smoke Ranch Road. Thirdly, the park referred to by the residents is the Bettye Wilson Soccer Complex, which is located across from many uses. The project is designed specifically to create a buffer from the church, school and park. The intent is protecting the residents on the south side of the parcel. He reiterated that the project conforms to the General Plan. It was decided that it would be better for the neighborhood to the south to establish a substantial list of uses that cannot be placed to the south.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 109 – ZON-2457

MINUTES – Continued:

ATTORNEY KAEMFPER further indicated that the residents to the south side have a wall that is in need of repair, and because the applicant is asking for a development on the north side of the property, the applicant is able to do more on the south side of the property. He pointed out that someone else could do C-1, which is allowed by the general plan, and may not agree to all the conditions as this applicant did. More attention should be given to those residents who would receive the most value out of this arrangement.

COUNCILMAN BROWN indicated that both corner pieces are not part of the Tech Park Phase 1 and 2, which had completely different zoning, as far as a business park and planned development. This was zoned with the commercial entitlements, different from many of the office buildings being developed in this area. Desert Shores residents understand that years ago a gas station, convenience store, and lube facility were proposed on the same property, but were denied because of their intensity and the change of the neighborhood's character. The intent was not to have a strip mall look. Therefore, the applicant was asked to design the buildings closer to Buffalo Drive with parking in the rear to give it a professional look, even though it will be commercial.

COUNCILMAN BROWN pointed out that a fourth waiver was being asked, which was the waiver on the child care facility located in the Tech Park. If it were within 1500 feet of this parcel, the applicant would not be before the City Council for a tavern application. He clarified that the high school fronts onto Tenaya Way and most of the traffic is on Tenaya Way. With the construction of the 60-acre Bettye Wilson Soccer Complex, the City created a road exiting onto Lake Mead. What is in question is the 20-acres on the back of Bettye Wilson Soccer Complex, that until recently, through an agreement with the church off of Smoke Ranch Road, allowed access into their property to give the parents of the soccer players excess parking. However, this will no longer be possible because the church sold that land to an office park developer. Access to the Bettye Wilson Soccer Complex will remain only on Tenaya Way and on the back of a cul-de-sac. The church representatives chose to take a neutral position with regards to this project. In fact, these items were held in abeyance to ensure that the church had an opportunity to review the waiver application and to contact his office. The development on both parcels will not adversely impact the church, as far as their activities, functions or safety. He feels comfortable that what is being asked is satisfactory.

COUNCILMAN BROWN indicated that DR. BERNSTEIN speaking in opposition to the project on behalf of his constituency has as much an impact as 30 telephone calls opposing the project. The City Council has been consistent in trying to understand if the request is permitted and to allow the request for a special use permit. There are perhaps too many traditional taverns and other establishments that have alcohol along Desert Shores, the Technical Park, Lake Mead and Cheyenne corridors.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 109 – ZON-2457

MINUTES – Continued:

Inside the Tech Park there are two restaurants under tavern licenses, one of which is open 24 hours, and one restaurant located in Desert Shores. However, the proposed steakhouse is different and away from the norm, when it comes to tavern licenses and City Code. That satisfied some of the concerns with what was going to be built there and the conditions that will be added speak to the product that is being proposed.

COUNCILMAN BROWN added that the south side parcel will be 10 feet higher than its adjacent neighbor and the concern was the hours of operation, lighting, parking and rear wall. He clarified that most applications will come before the respective Council member and in most cases feasibility will be discussed. After that, it goes to the neighborhood. The proposed project started in his office, and even before the details of the projects were addressed, he asked the applicant to meet with the adjacent neighborhoods. There were two mailings, drawing from 14 to 45 people, and comments were received and factored into the applications. Their comments definitely influenced the additional conditions. Therefore, this is not a “done deal”. A year or five years from now will determine if this was the right decision. What he can do is put safeguards in place that allow checking on the status, ensure the conditions are met and what is being proposed is built.

COUNCILMAN BROWN stated that the upscale steakhouse, the investment being made, the design and location of the buildings, the lighting, the walls, all have been designed to fit into the overall area in the High Tech Park on a parcel that did not have that requirement. In addition, the applicant did not have to comply with his or the neighbors’ requests. He hopes that this application is going to compliment, not only the Tech Park, but most importantly MS. BEST’ neighborhood and Desert Shores as a whole. There is nothing being introduced in this application that is not found in the general area of Desert Shores. In fact, some of the things that are being introduced are truly unique and different and of high quality.

He imposed additional conditions on Item 109 [ZON-2457]. On the south side the hours of operation shall be 7:00 a.m. to 10:00 p.m. Places such as a Subway or those types of restaurants usually stay open until 9:00 p.m. or 10:00 p.m. No alcohol sales of any kind will be allowed on the south parcel. Thirdly, the list of specific uses not allowed on the southern site, as indicated by ATTORNEY KAEMPFER and provided to the neighborhood, his office and staff would be included as part of the record and part of the conditions. DEPUTY CITY ATTORNEY BRYAN SCOTT verified for COUNCILMAN BROWN that the list of uses will be recorded on the parcel with the County Records Office. ATTORNEY KAEMPFER concurred with all added conditions.

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Planning and Development Department
Item 109 – ZON-2457

MINUTES – Continued:

On Item 110 [SUP-3896], COUNCILMAN BROWN imposed a one-year review on the 24-hour operation to come directly to City Council, as requested by the neighborhood. As a safeguard, they want the City to have the ability to speak to any increase in crime or any problems associated with the restaurant. The second condition would be to ensure what is being approved is what has been presented over the last five months, which is an upscale steakhouse with a clear design, different from a tavern by the normal City standards with 35% kitchen area. If there were deviations in that proposal, the Special Use Permit would have to come back before the City Council.

Regarding the one-year review, ATTORNEY KAEMPFER indicated that if the use will not have the minimal impact, then it should be reviewed and it should be changed. Therefore, he agreed with that added condition. Secondly, a floor plan was submitted as part of the application. The estimation was for 35% kitchen area and he suggested that the condition state that if there is any significant change at all in that floor plan, it would have to come back before the City Council. COUNCILMAN BROWN stated that the intent is to approve the steakhouse as promised and if it should be changed to a normal tavern, it would have to come back before the City Council. DEPUTY CITY ATTORNEY SCOTT asked COUNCILMAN BROWN if he wanted the use permit to cease once the steakhouse use ends prior to a new applicant coming in and to have the new applicant obtain a special use permit. COUNCILMAN BROWN responded that he wants that condition as a safeguard if the steakhouse does not work in this area and it moves towards a traditional 24-hour tavern. ROBERT GENZER, Director, Planning and Development Department, commented that the draft wording, if this restaurant were to change hands even if the restaurant were to continue in its present form, the Special Use Permit would be void. He did not believe that was the Councilman's intent. COUNCILMAN BROWN verified that he is not as concerned about the operator, as the operation. ATTORNEY KAEMPFER indicated that no tavern could operate with the degree of kitchen being provided in this particular floor plan. He agreed that regardless of the operator, if that floor plan changes it should come back before the City Council. DEPUTY CITY ATTORNEY SCOTT suggested language that the Special Use Permit shall be for the use as proposed only. If there is any change in the proposed use, then the Special Use Permit will become void and, a new Special Use Permit will be required. COUNCILMAN BROWN was comfortable with that verbiage.

Regarding Item 111 [SDR-2458], COUNCILMAN BROWN indicated that on the north side, signage was another issue extremely important for the Desert Shores residents. Signs facing externally shall be backlit and blocked of all similar styles. Any kind of corporate identification or other traditional signage would be interior to the parking lot, but the façade facing Buffalo

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Planning and Development Department
Item 109 – ZON-2457

MINUTES – Continued:

Drive and Smoke Ranch Road would be consistent, professional, and similar to what exists in the Tech Park. He understands that the steakhouse wants to put a kind of script sign and that likewise would be backlit or softly lit. The intent is to prohibit neon or pole signage to keep consistent with the developed corridor. ATTORNEY KAEMPFER suggested making a condition not to allow pole signage. He understands the Councilman's request not to have a neon sign on the side of the building. MR. GENZER indicated that staff was comfortable with that and understood the Councilman's request. COUNCILMAN BROWN further added a condition that there be no neon window signs on the north side. Originally it was going to be a decorative brick façade, but instead it will have windows. He does not want to create an additional on-premise sign opportunity. ATTORNEY KAEMPFER agreed and reiterated that on the south side he did agree that once the business closes any inside signage must be turned off.

COUNCILMAN BROWN imposed a third condition that on the north side a pony wall shall be allowed on the north and east parts with access for the abutting properties. That is to make it pedestrian friendly for people using the Tech Park. On the south side signs facing externally shall be backlit in similar style with no pole signage. COUNCILMAN MACK verified with COUNCILMAN BROWN that the property is "L" shaped and the tenants' signage will face Smoke Ranch Road and Buffalo Drive. There will be no need for any other type of signage for this center. COUNCILMAN BROWN indicated that the same condition regarding no neon windows signs facing Buffalo Drive or Smoke Ranch Road be reflected for the south side. Any kind of signage internal to the parking lot would be shut off when the business closes, and the final condition on the south side on the site development would be the eastern wall. The applicant shall work with staff to design a wall that is tiered so the impact of the wall height can be mitigated. The applicant is aware there is a tremendous elevation difference and a traditional wall would end up being close to 15 to 20 feet.

Lastly, COUNCILMAN BROWN indicated that he has met with the neighborhood specifically in Desert Shores directly across from the north parcel who expressed concern about noise mitigation. This proposed project would have minimal if negligible noise impact. The noise would come from traffic on the Buffalo corridor. The City is working with those homeowners to identify options to either raise their walls or close off one of the gated areas being used as a flood channel.

ATTORNEY KAEMPFER clarified that lists of excluded uses pertain to both the north and south sites. DEPUTY CITY ATTORNEY SCOTT advised that they be

CITY COUNCIL MEETING OF MAY 5, 2004

Planning and Development Department

Item 109 – ZON-2457

MINUTES – Continued:

recorded with the County Recorder on the various parcels. MR. GENZER noted that Planning staff had not received either list. ATTORNEY KAEMPFER answered that both were forwarded to staff, but that he would give MR. GENZER another copy.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 109 [ZON-2457], Item 110 [SUP-3896] and Item 111 [SDR-2458].

NOTE: All discussion for Item 109 [ZON-2457], Item 110 [SUP-3896] and Item 111 [SDR-2458] was held under Item 109 [ZON-2457].

(2:32 – 3:21)

4-2547/5-1

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.
4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 109 – ZON-2457

CONDITIONS – Continued:

determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. A Drainage Plan and Technical Drainage Study for both parcels comprising this overall site must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 -
APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM
REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR
 ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE
 SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY
 PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN: 138-15-
 402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation]
 [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The
 Planning Commission (5-0-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

26

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

11

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL,
 subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions and the following added conditions:

- *The 24-hour operation shall be reviewed in one year by the City Council.*
- *The Special Use Permit shall be for the proposed use only. If any changes are made to the proposed use, then the Special Use Permit will void and a new Special Use Permit will be required.*

– UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 109 [ZON-2457] for all related discussion.

(2:32 – 3:21)

4-2547/5-1

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 110 – SUP-3896

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Tavern).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of a subsequent Rezoning (ZON-2457) and Site Development Plan Review (SDR-2458) by the Planning Commission and City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - **SDR-2458 - DONNA F. BEAM REVOCABLE TRUST** - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN: 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions and the following added conditions:

- *Signs facing externally on the north parcel shall be backlit, block letters and of all similar style. Any kind of corporate identification or other traditional signage would be interior to the parking lot with the façade facing Buffalo Drive and Smoke Ranch Road consistent with the Tech Park signage.*
- *There shall be no pole signage.*
- *There shall be no neon signs in the north and south side windows facing Buffalo Drive and Smoke Ranch Road.*
- *Any signage on the inside units must be shut off once the business closes.*
- *A pony wall shall be allowed on the north and east parts with access for the abutting properties.*
- *On the south side signs facing externally shall be backlit, of similar style, and no pole signage is allowed.*

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 111 – SDR-2458

MOTION – Continued:

- *Any kind of signage internal facing the parking lot shall be shut off when the business closes.*
- *On the eastern wall, the applicant shall work with staff to design a wall that is tiered so that the impact of the height can be mitigated.*

– UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 109 [ZON-2457] for all related discussion.

(2:32 – 3:21)

4-2547/5-1

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-2457] to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for building permit, to reflect access aisles on both sides of all handicap spaces, in accordance with Title 19.10.G.3.a.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center where fronting on to streets or adjacent to residential areas and 30 feet on-center for other perimeters and a minimum of four five-gallon shrubs for each tree within provided planters.

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Planning and Development Department
Item 111 – SDR-2458

CONDITIONS – Continued:

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout for both parcels comprising this overall site prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 111 – SDR-2458

CONDITIONS – Continued:

16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-2457 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-3665** -
APPLICANT/OWNER: DONNA J. CAPRI - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres adjacent to the southwest corner of Eastern Avenue and Canosa Avenue (APN: 162-02-713-114), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – DENIED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

MAYOR PRO TEM REESE indicated that this item has been held in abeyance three times and the applicant was not present.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:21 – 3:22)

5-968

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-3919** -
APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Rezoning FROM:
 R-4 (High Density Residential) TO: C-1 (Limited Commercial) on 0.46 acres adjacent to the
 northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), Ward 1
 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152],

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 113 – ZON-3919

MOTION – Continued:

Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

DENNIS WATTS, 201 Las Vegas Boulevard South, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:22 – 3:24)

5-994

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3919 - PUBLIC HEARING - **SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY** - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape and parking standards FOR A PROPOSED MODULAR OFFICE on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), R-4 (High Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Withdrawal without prejudice requested by Applicant
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 114 – SDR-3920

MOTION – Continued:

COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3708 - APPLICANT/OWNER: EMERALD CREST HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-3 (Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines Drive and Garwood Avenue (APN: 138-35-517-001), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Vornsand Consulting
5. Back up referenced from the 4/8/2004 Planning Commission meeting Item 8

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

There was no discussion.

(1:22 – 1:28)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4124 - APPLICANT/OWNER: DAVID LITVAK - Request for a Rezoning FROM: R-4 (HIGH-DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.16 acres located at 203 and 205 East Colorado Avenue (APN: 162-03-110-053), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM RESE declared the Public Hearing open on Item 116 [ZON-4124] and Item 117 SDR-3768].

DAVID and VERONICA HOLMES LITVAK, 1302 South Third Street, asked that the Antique and Arts District be expanded.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 116 [ZON-4124] and Item 117 SDR-3768].

NOTE: All discussion for Item 116 [ZON-4124] and Item 117 SDR-3768] was held under Item 116 [ZON-4124].

(3:24 – 3:25)

5-1044

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 116 – ZON-4124

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4124 - PUBLIC HEARING - **SDR-3768 - APPLICANT/OWNER: DAVID LITVAK** - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape standards and perimeter landscaping standards FOR A PROPOSED 1,100 SQUARE-FOOT ANTIQUE STORE on 0.16 acres located at 203 and 205 East Colorado Avenue (APN: 162-03-110-053), R-4 (High Density Residential) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 116 [ZON-4124] for all related discussion.

(3:24 – 3:25)

5-1044

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4124) to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 117 – SDR-3768

CONDITIONS – Continued:

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.

Public Works

7. Site development to comply with all applicable conditions of approval for ZON-4124 and all other subsequent site-related actions.

Building and Safety

8. The following requirements are applicable for the conversion of residential properties to commercial uses:
 - a. Fire-rated walls with parapets will be required where any building is less than ten feet from a property line. Protected openings are permitted when five to ten feet from the property line; no openings are permitted where less than five feet to the property line.
 - b. Replace electrical wiring with wiring in conduit if there is no grounding conductor.
 - c. Provide 100% upgrade to handicap accessibility including doors, restrooms, parking counters, and any other requirements for these uses.
 - d. Dissolve any interior property lines between buildings or design for property line requirements such as fire-rated parapets, protected openings, etc.
 - e. A grounding electrode and exterior disconnect shall be required at each building.
 - f. Conformance with all other applicable building code requirements.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3976 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 3.88 acres adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002), Ward 6 (Mack). The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

132

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 39
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

BROWN – APPROVED subject to conditions and amending Condition 2 as follows:

2. A Site Development Plan Review application shall be approved by the Planning Commission *and City Council at a public hearing* prior to issuance of any permits, any site grading, and all development activity on the site.

And adding the following condition:

- *The applicant shall mail a notice to the neighborhood and hold a neighborhood meeting prior to the Planning Commission meeting.*

– UNANIMOUS with MACK abstaining because, although POUY PREMSRIRUT no longer represents either Las Vegas Previews or Ipolitics, he does not believes his financial relationship with Goodman, Brown, Premsrirut has been terminated, as ERIC GOODMAN still has interest in partners who work for his company, and with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 118 – ZON-3976

MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY ERIC GOODMAN, 520 South 4th Street, appeared on behalf of the applicant and stated that the property was originally zoned C-1. The zoning designation lapsed and the applicant is requesting that it be rezoned from R-E to C-1. ATTORNEY GOODMAN indicated that the original plan was for a mini storage, but those applications, Item 119 [SUP-3980] and Item 120 [SDR-3979] were withdrawn.

CAROL HEALEY, 6501 Mimosa Valley Street, President of the Meister Park North Homeowners Association, appeared on behalf of 280 homeowners. MS. HEALEY thanked the applicant for withdrawing the request for the mini storage. They understand that this will probably be rezoned to C-1, but asked that a site plan be brought back so that the residents can provide input.

ROBERT GENZER, Director, Planning and Development Department, clarified for MAYOR PRO TEM REESE that Condition 2 requires a site plan review. Currently the condition refers to the site plan and Special Use Permit that have been withdrawn. Therefore, he recommended that the condition be reworded and suggested the requirement that the site plan review be at a public hearing.

MAYOR PRO TEM REESE verified for MS. HEALEY that the residents would be notified by mail before the meeting. ATTORNEY GOODMAN agreed to the amended condition.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 118 – ZON-3976

MINUTES – Continued:

VERNA LUTZ, 5208 Primrose Flower Avenue, asked if some excluded uses could be submitted for this application. MAYOR PRO TEM REESE replied that that will not be necessary because the residents will be able to provide input on whichever use is being requested and would also be able to see a plan prior to the public hearing.

COUNCILMAN BROWN requested a condition be added that the applicant will mail a notice to the neighborhood and hold a neighborhood meeting prior to Planning Commission. ATTORNEY GOODMAN agreed to the added condition.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:25 – 3:32)

5-1110

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-3979) and Special Use Permit (SUP-3980) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site. If a map is not required, provide a copy of a recorded joint access agreement comprising the overall site prior to the issuance of any permits.
4. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the submittal requirements for Bureau of Land Management (BLM) applications for Rome Boulevard adjacent to this site extending to Decatur Boulevard and provide all required documentation and material. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to the approval of construction drawings for this site or the issuance of any permits, whichever may occur first.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 118 – ZON-3976

CONDITIONS – Continued:

5. Construct half-street improvements on Thom Boulevard adjacent to this site and construct half street improvements including appropriate overpaving on Rome Boulevard adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width.
6. Construct two lanes of paved, legal access from Decatur Boulevard to this site concurrent with development of this site.
7. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-3976 - PUBLIC HEARING - **SUP-3980** -
APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY -
OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Special Use Permit
 FOR A PROPOSED MINI-WAREHOUSE FACILITY adjacent to the southeast corner of Thom
 Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002) R-E (Residence Estates) Zone,
 [Proposed: C-1 (Limited Commercial) Zone], Ward 6 (Mack). The Planning Commission (6-0-1
 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

132

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL,
 subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request to withdraw without prejudice by Goodman, Brown
 & Premsrut
5. Submitted after final agenda – Protest letters by Robert and Patricia Klapperick, Gary C.
 Olson and Dell and Shirley Bedard
6. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on
 Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written
 Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120.
 Both Opinions were filed under Item 78.
7. Back up referenced from the 4/8/2004 Planning Commission meeting Item 40

MOTION:

**REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104
 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-
 3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT
 PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] –
 UNANIMOUS with GOODMAN excused and Ward 2 seat vacant**

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 119 – SUP-3980

MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT advised COUNCILMAN MACK that he has a conflict on Items 119 [SUP-3980] and 120 [SDR-3979] that have been requested to be held in abeyance and recommended that he abstain from voting. COUNCILMAN MACK disclosed that although POUY PREMSRIRUT no longer represents Las Vegas Previews or Ipolitics, companies he is involved with, he does not believe the financial relationship with that firm has been terminated at this time. However, he was advised by the City Attorney's Office that he could vote on the abeyance for Items 119 [SUP-3980] and 120 [SDR-3979].

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no further discussion.

(1:22 – 1:28)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3976 AND SUP-3980 - PUBLIC HEARING - **SDR-3979** - **APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY** - **OWNER: SCME, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED MINI-WAREHOUSE FACILITY on 3.88 acres adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002), R-E (Residence Estates) Zone, [Proposed: C-1 (Limited Commercial) Zone], Ward 6 (Mack). The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

132**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request to withdraw without prejudice by Goodman, Brown & Premsrirut filed Under Item 119
5. Submitted after final agenda – Protest letters by Robert and Patricia Klapperick, Gary C. Olson and Dell and Shirley Bedard filed under Item 119
6. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
7. Back up referenced from the 4/8/2004 Planning Commission meeting Item 41

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 120 – SDR-3979

MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT advised COUNCILMAN MACK that he has a conflict on Items 119 [SUP-3980] and 120 [SDR-3979] that have requested to be held in abeyance and recommended that he abstain from voting. COUNCILMAN MACK disclosed that although POUY PREMSRIRUT no longer represents Las Vegas Previews or Ipolitics, companies he is involved with, he does not believe the financial relationship with that firm has been terminated at this time. However, he was advised by the City Attorney's Office that he could vote on the abeyance for Items 119 [SUP-3980] and 120 [SDR-3979].

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no further discussion.

(1:22 – 1:28)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3995 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Rezoning FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff Drive (APN: 138-27-802-001; 138-27-802-004), Ward 2 (Vacant). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 42

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

LENDALL MAINS, 10624 South Eastern Avenue, Suite #A-332, appeared on behalf of the applicant with PASTOR NORM LORENCO, who concurred with all conditions.

ROBERT GENZER, Director, Planning and Development Department, indicated that staff does not have any problems with this application.

JUANITA CLARK, Charleston Neighborhood Preservation, stated that the residents are looking forward to having this development on this property and are pleased with the proposed project.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 121 – ZON-3995

MINUTES – Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:32 – 3:34)

5-1355

CONDITIONS:

Planning and Development

1. Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review (SDR-3997) for this site and conformance to conditions of approval for site related actions.

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for Westcliff Drive prior to the issuance of any permits. In addition, dedicate appropriate right-of-way for a bus stop in accordance with Standard Drawing #234.1 or #234.3. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site.
4. Dedicate 25 feet of right-of-way for the unnamed street along the western border of Assessor's Parcel Number 138-27-802-001, continuous to the north edge of the parcel, including appropriate right-of-way for a knuckle meeting current City Standards prior to the issuance of any permits, unless otherwise allowed by the City Engineer. Coordinate with the Right-of-Way Section of the Department of Public Works prior to the issuance of any permits for this site to determine submittal requirements for a Bureau of Land Management (BLM) application for the west half of the unnamed street and for assistance with the preparation of appropriate dedication documents.
5. Coordinate with the Nevada Department of Transportation (NDOT) to determine impacts to this site from the Rainbow Boulevard interchange. If required, obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rainbow Boulevard public right-of-way adjacent to this site, if required. Public Works notes that NDOT has existing Control of Access rights within this parcel that may impact proposed and/or required improvements and dedications along Westcliff Drive.
6. Construct half-street improvements on the unnamed street along the western border of Assessor's Parcel Number 138-27-802-001 including appropriate overpaving, if legally able, concurrent with development of this site.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 121 – ZON-3995

CONDITIONS – Continued:

7. Completion of all incomplete half street improvements on Rainbow Boulevard and required improvements along Westcliff Drive adjacent to this site shall be required at the time of the Three Year Review, unless otherwise determined at that time.
8. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
9. A Traffic Impact Analysis may be required by the Department of Public Works upon development of Phase II of this project. Such requirement will be imposed at the time of the Required Three Year Review, unless otherwise determined at that time. Public Works notes that additional right-of-way dedications in accordance with Standard Drawing #201.1 may be determined necessary at that time.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3995 - PUBLIC HEARING - **SDR-3997 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH** - Request for a Site Development Plan Review and a Waiver of the parking lot landscaping standards FOR A PROPOSED 40,649 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A 1,200 SQUARE-FOOT TEMPORARY MODULAR BUILDING on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff Drive (APN: 138-27-802-001; 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [Proposed: C-1 (Limited Commercial) Zone], Ward 2 (Vacant). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 43

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

LENDALL MAINS, 10624 South Eastern Avenue, Suite #A-332, appeared on behalf of the applicant with PASTOR NORM LORENCO, who concurred with all conditions

MAYOR PRO TEM REESE asked how long the modular buildings would be needed. MR. MAINS replied that they would be removed within three years.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 122 – SDR-3997

MINUTES – Continued:

COUNCILMAN BROWN explained that Condition 4 indicates that the modular trailer would be removed in two years from the date of the issuance of a Certificate of Occupancy for the trailer. ROBERT GENZER, Director, Planning and Development Department, clarified that the Planning Commission imposed that added condition. Whenever a modular trailer is proposed, even if for a limited time, that limited time often gets extended. That is the reason the Planning Commission was concerned about how long it would actually be there. The applicant could certainly come back at the end of that two-year period and request an extension for an additional year. COUNCILMAN BROWN requested that the applicant abide with the two-year limit. There have been similar instances where the modular building has been removed within that two-year period. MR. MAINS explained that originally it was going to be three years from now, and then it was tied to the two-year from the issuance of the Certificate of Occupancy. He concurred with all the conditions as well as Condition 4.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:34 – 3:36)

5-1434

CONDITIONS:

Planning and Development

1. Rezoning (ZON-3995) to C-1 (Limited Commercial) approved by the City Council.
2. This approval shall be subject to a required three-year review by the Planning Commission as a public hearing.
3. This site development plan approval shall expire in two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The modular trailer shall be removed in two years from the date of the issuance of a Certificate of Occupancy for the trailer.
5. A Site Development Plan Review application for Phase II of the project which shall include the development of the perimeter trail, shall be submitted and scheduled for hearing by the Planning Commission prior to the issuance of any permits for that part of the project.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 122 – SDR-3997

CONDITIONS – Continued:

6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop an address plan for the site.
7. The landscaping plan shall be revised to depict the minimum landscaped buffer width and number of trees for perimeter and parking landscaping prior to application for a building permit. The landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened from views of abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wallpack lighting shall utilized shoebox fixtures and downward directed lights on the proposed building.
10. All utility boxes exceeding 27 feet cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20% contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

12. Provide proof acceptable to the City Engineer that this site has permission to construct a 10 foot trail path, 20 foot wide fire lane and a 25 foot wide driveway across BLM Parcel #138-27-802-006 on the northern side of this site as shown on the submitted site plan. If such proof cannot be provided, an alternative access plan must be submitted for approval by the City Engineer that excludes proposed improvements within said BLM owned parcel. Recorded Joint Access Agreements must be provided, if applicable. This condition must be satisfied prior to the issuance of any permits or the submittal of any construction drawings, whichever may occur first.
13. Provide a copy of a recorded Joint Access Agreement between all parcels that comprise this site prior to the issuance of any permits.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 122 – SDR-3997

CONDITIONS – Continued:

14. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3995 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3977 - APPLICANT: **DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

106**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application Not Applicable
3. Staff Report
4. Submitted after final agenda – Abeyance request by Richard Threlfall Architect for Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125[SDR-3982] filed under Item 123 [GPA-3977]
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
6. Back up referenced from the 4/8/2004 Planning Commission meeting Item 28

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDUCE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 123 [GPA-3977]

MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-3977 - PUBLIC HEARING - **ZON-3981** -
APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) on 1.38 acres located adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

111

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Richard Threlfall Architect for Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982] filed under Item 123 [GPA-3977]
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
6. Back up referenced from the 4/8/2004 Planning Commission meeting Item 29

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 124 – ZON-3981

MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3977 AND ZON-3981 - PUBLIC HEARING - **SDR-3982** - **APPLICANT: DR. JAS GROVER** - **OWNERS: HELEN GOULETTE, ET AL** - Request for a Site Development Plan Review FOR A PROPOSED 11,200 SQUARE-FOOT MEDICAL OFFICE on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), R-E (Residence Estates) Zone, [Proposed: P-R (Professional Office and Parking) Zone], Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

106**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Richard Threlfall Architect for Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982] filed under Item 123 [GPA-3977]
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
6. Back up referenced from the 4/8/2004 Planning Commission meeting Item 30

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 125 – SDR-3982

MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3985 -
APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southwest Sector Plan of the General Plan
FROM: R (RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 1.30 acres adjacent to the south side of Via Olivero Avenue, approximately 950 feet east of Buffalo Drive (APN: a portion of 163-03-402-017), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application Not Applicable
3. Staff Report

MOTION:

MONCRIEF – APPROVED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 126 [GPA-3985], Item 127 [ZON-3987] and Item 128 [SDR-3988].

GEORGE ROGERS, 465 South Polaris, appeared on behalf of the applicant. This is the last parcel of its nature that fronts on Sahara Avenue and backs Via Olivero Avenue, a residential street. There have been other controversial parcels relative to car dealerships in the vicinity. However, the request is to zone the parcel C-1, which does not allow a car dealership. It will be for professional development in the rear and some commercial in the front along Sahara Avenue. MR. ROGERS indicated that no negative comments were expressed at the neighborhood meeting. However, at the Planning Commission two neighborhood representatives asked that conditions be added, namely an eight-foot block wall along Via Olivero Avenue to the rear, 20-foot maximum height light poles in the parking lot, enhanced landscaping, and most importantly, no driveways along Via Olivero Avenue. The applicant agreed to those conditions.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 126 – GPA-3985

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, indicated that the date 04/02/04 in Conditions 3 and 18 of Item 128 [SDR-3988] needs to reflect 04/08/04. Additionally, a condition needs to be added that was inadvertently dropped from Planning Commission that stated that there is no ingress or egress from Via Olivero.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 126 [GPA-3985], Item 127 [ZON-3987] and Item 128 [SDR-3988].

NOTE: All discussion for Item 126 [GPA-3985], Item 127 [ZON-3987] and Item 128 [SDR-3988] was held under Item 126 [GPA-3985].

(3:36 – 3:42)

5-1533

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-3985 - PUBLIC HEARING - **ZON-3987** -
APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] TO: O (Office) and FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 4.86 acres adjacent to the north side of Sahara Avenue, approximately 950 feet east of Buffalo Drive (APN: 163-03-402-017), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused, WEELY not voting and Ward 2 seat vacant

MINUTES:

NOTE: See Item 126 [GPA-3985] for all related discussion.

(3:36 – 3:42)

5-1533

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3985) to an O (Office) land use designation on a portion of the site approved by the City Council.
2. A Resolution of Intent with a two-year time limit.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 127 – ZON-3977

CONDITIONS – Continued:

3. A Site Development Plan Review application (SDR-3988) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. The south side of Via Olivero Avenue shall be developed with landscaping and berming and without a sidewalk, using a design consistent with that on other developed parcels on the south side of Via Olivero Avenue.

Public Works

5. Dedicate 30 feet of right-of-way adjacent to this site for Via Olivero Avenue and dedicate an additional 14.5 feet of right-of-way for a total half-street width of 75 feet on Sahara Avenue adjacent to this site prior to the issuance of any permits.
6. Construct all incomplete half-street improvements on Via Olivero Avenue and Sahara Avenue adjacent to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 127 – ZON-3977

CONDITIONS – Continued:

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3985 AND ZON-3987 - PUBLIC HEARING - **SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of foundation landscaping standards FOR A PROPOSED 42,400 SQUARE-FOOT OFFICE BUILDING AND 12,800 SQUARE-FOOT RETAIL BUILDING on 4.86 acres adjacent to the north side of Sahara Avenue, approximately 950 feet east of Buffalo Drive (APN: 163-03-402-017), U (Undeveloped) [R (Rural Density Residential) and [SC (Service Commercial) General Plan Designations], [Proposed: O (Office) and C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions and amending Conditions 3 and 18 by correcting the date from 04/02/04 to 04/08/04 and the following added condition:

- *There shall be no vehicular ingress or egress from Via Olivero.*
- **UNANIMOUS** with GOODMAN excused, WEEKLY not voting and Ward 2 seat vacant

MINUTES:

NOTE: See Item 126 [GPA-3985] for all related discussion.

(3:36 – 3:42)

5-1533

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-3987) to O (Office) and C-1 (Limited Commercial) Zoning Districts approved by the City Council.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 128 – SDR-3988

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.
3. All development shall be in conformance with the revised site plan and building elevations as submitted on 04/02/04, except as amended by conditions herein.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect four loading zones.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.
6. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24 inch box trees 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the rear of the site and 30 feet on center to the front and sides of the site.
7. The elevations shall be revised and approved by staff prior to the time application is made for a building permit with additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 128 – SDR-3988

CONDITIONS – Continued:

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.
12. A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be a minimum of eight feet in height and be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards must be satisfied.
17. No turf shall be permitted in the non-residential common areas, such as medians and amenity zones in this development.
18. All development shall be in conformance with the site plan and building elevations, date stamped 01/30/04, except as amended by changes submitted on 04/02/04 and by these conditions.
19. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department showing a minimum 12.5 % of the total landscaped area as turf.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 128 – SDR-3988

CONDITIONS – Continued:

Public Works

20. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
21. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Via Olivero Avenue adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
24. Site development to comply with all applicable conditions of approval for ZON-3987 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4000** -
APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request to Amend a portion
of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential)
TO: MLA (Medium-Low Attached Density Residential) on 2.92 acres located at 1700 South
Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief). The Planning Commission
(2-5 vote on a motion for approval) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (2-5 vote on a motion for approval) and staff recommend DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application Not Applicable
3. Staff Report
4. Submitted at City Council – Protest petition with 11 properties
5. Back up referenced from the 4/8/2004 Planning Commission meeting Item 34

MOTION:

MONCRIEF – DENIED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 129 [GPA-4000], Item 130 [VAR-4005], Item 131 [ZON-4003] and Item 132 [SDR-4004].

SCOTT COLLINS, 11424 Rancho Portena, explained that this project was originally designed as an upscale lifestyle community with high quality homes. The demographics, market research and trend analysis were the driving factors in the design of this development. The applicant had several meetings with the adjacent neighbors and met with several Council members as well. MR. COLLINS outlined some of the concerns that have arisen regarding this site. Originally, the setback on the eastern border was for a six-foot setback. At a neighborhood meeting it was requested that the proposed 15-foot open space along Buffalo Drive be moved to the east side to create larger setbacks, to which the applicant agreed. After the Planning Commission meeting, the applicant was able to expand that open space to 35 feet.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 129 – GPA-4000

MINUTES – Continued:

MR. COLLINS indicated that another concern was the density. Originally, the request was for 10-units to the acre and they have agreed to reduce that to eight-units to the acre, which would take the units from 28 to 24 units. Regarding the open space and landscaping concerns, the applicant is willing to work with the neighbors to ensure that the border along the eastern edge would have a favorable tree that will compliment what currently exists. He presented a photograph of a similar development depicting a three-story product, which is what is being proposed at this location. The height of the building has always been 35 feet, whether it is a two or three-story building. The neighbors' homes directly to the east are allowed to be 35 feet and the majority is close to this height.

MARK ADAIR, 1401 Marbella Ridge Court, stated that he was aware only of three meetings, of which he attended two. He expressed concern about the project's density and felt it is not appropriate for the surrounding area.

DAVID KNOWLTON, 1616 Marbella Ridge Court, objected to the development because it is out of character with the surrounding neighborhood. The majority of the neighbors oppose this development.

JOHN GALLEGOS, 1625 Marbella Ridge Court, submitted a protest petition at a meeting held at his house with COUNCILWOMAN MONCRIEF. The biggest objections are the height and the density. The three-story would infringe on the privacy of the homes along the eastern side of the neighborhood.

CLINA THOMPSON, 1710 South Buffalo Drive, resides adjacent to the proposed project and opposed the proposed development.

COUNCILWOMAN MONCRIEF stated that when she first met with the developer she felt they had a great product. She, as well as the neighbors, believed it would be a two-story condominium project. She pointed out that both staff and the Planning Commission recommended denial. She is not willing to devalue the existing residents' properties in order for Valencia Communities to market their homes as having views of the Strip. She is willing to work with the applicant to provide a two-story product, as well as provide two-story properties adjacent to the neighbors on the east side. She felt the developer could provide single story for those residents most impacted.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 129 [GPA-4000], Item 130 [VAR-4005], Item 131 [ZON-4003] and Item 132 [SDR-4004].

NOTE: All discussion for Item 129 [GPA-4000], Item 130 [VAR-4005], Item 131 [ZON-4003] and Item 132 [SDR-4004] was held under Item 129 [GPA-4000].

(3:42 – 3:57)

5-1748

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE RELATED TO GPA-4000 - PUBLIC HEARING - **VAR-4005** -
APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for a Variance TO
ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON
2.92 ACRES WHERE A MINIMUM OF FIVE ACRES IS REQUIRED located at 1700 South
Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-
PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief). The Planning
Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 35

MOTION:

MONCRIEF – DENIED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 129 [GPA-4000] for all related discussion.

(3:42 – 3:57)

5-1748

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4000 AND VAR-4005 - PUBLIC HEARING - **ZON-4003**
- **APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.** - Request for a Rezoning
FROM: R-E (Residence Estates) TO: R-PD10 (Residential Planned Development - 10 Units per
Acre) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward
1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item36

MOTION:

MONCRIEF – DENIED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 129 [GPA-4000] for all related discussion.

(3:42 – 3:57)

5-1748

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4000, VAR-4005 AND ZON-4003 - PUBLIC HEARING - **SDR-4004** - **APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.** - Request for a Site Development Plan Review FOR A 28-UNIT ATTACHED SINGLE-FAMILY DEVELOPMENT on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 37

MOTION:

MONCRIEF – DENIED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 129 [GPA-4000] for all related discussion.

(3:42 – 3:57)

5-1748

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

DB-1813 EUCLID AVENUE, DB-4113 SUNRISE AVENUE ,SUP-3947, SUP-3961, SUP-3969, SUP-3972, SUP-3973, SUP-3980, SUP-3983, SUP-3984, SUP-3986, VAC-3861, VAC-3926, VAC-3932, VAR-4001 VAR-4005, VAR-3902 – 5/19/2004 AGENDA

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

61A. Report and possible action on the Sky Vue Mobile Home Park, 15 West Owens Avenue and to allocate funds for temporary housing and relocation costs of displaced residents in an amount not to exceed \$100,000 and other matters pertaining thereto - Ward 5 (Weekly)

See Page 61A

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES – Continued:

JOSEPH PEPITONE, 5154 Pearl Light Circle, brought to the Council's attention an incident that occurred on October 23, 1997. He indicated that while playing a progressive nickel slot machine called Nevada Nickels at Arizona Charlie's, the machine indicated that he won the jackpot, but he was told that the machine malfunctioned and he did not win. He submitted for the record documentation regarding this incident.

(3:57 – 4:03)

5-2417

STEVEN "CAPTAIN TRUTH" DEMPSEY stated that public servants do not accept their Oaths of Office. Mankind would do anything for money, and the Gaming Control Board seems to do the same.

Regarding the Ward 2 vacant seat, he stated that the best use of the limited resources is to announce that everyone interested in filling the position attend the City Council meeting, have everyone sign a note card, put the cards in a Plexiglas box and draw a name.

He referred to two web sites, federalmafia.com and twistedbadge.com. He also indicated that STEVE MILLER'S web site is stevemiller4lasvegas.com.

Lastly, he stated that a year ago he provided COUNCILWOMAN MONCRIEF information regarding the Crazy Horse. Nothing is being done. He questioned why there is trauma at the Crazy Horse and why it continues. People are still being robbed and beaten.

(4:03 – 4:06)

5-2668

COUNCILMAN MACK announced that tomorrow night, between 3:00 p.m. and 7:00 p.m., the Las Vegas Farmers' Market is opening a second location in Centennial Hills Park.

(4:06 – 4:07)

5-2836

City of Las Vegas

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Citizen Participation

MINUTES – Continued:

NILA SPEAR and DOTTIE GINN, 2008 De Osma Street, asked what action was taken on Items 123 through 125. MAYOR PRO TEM REESE explained that the items were held in abeyance to the June 16, 2004. MS. GINN thanked COUNCILWOMAN MONCRIEF about the removal of billboard signs. COUNCILWOMAN MONCRIEF thanked Clear Channel Outdoor for immediately removing the provocative sign located at Rancho Drive and Charleston Boulevard.

(4:07 – 4:09)

5-2878

KATHY BEST, 7548 Holloran Court, commented that citizens try to get involved in the process in providing their input, but it seems their views are not taken into consideration. She asked what she could do to better the process. She also asked how long the waiver request has been used. She mentioned that she called a few Council members and did not get a return call. She felt that she did not get adequate speaking time as the attorneys representing the applicant did. The 1500-foot separation distance affects the general public in the State of Nevada. She would like to know the Council's position in this regard. MAYOR PRO TEM REESE directed CITY MANAGER DOUG SELBY to assist MS. BEST in providing answers to her questions.

(4:09 – 4:10)

5-2971

MEETING ADJOURNED AT 4:10 P.M.